

COUNTY OF SAN MATEO
FLOOD AND SEA LEVEL RISE RESILIENCY

ADVISORY COMMITTEE

City of San Mateo City Hall
330 W. 20th Avenue
Conference Room C

Supervisors:

District 3 Don Horsley
At-Large: Dave Pine

City Representatives:

North: Donna Colson
Central: Diane Papan
South: Lisa Gauthier
Coast: Debbie Ruddock
At-Large: Maryann Moise Derwin

AGENDA

San Mateo City Hall – Room C	October 15, 2019	4:00 PM
------------------------------	------------------	---------

1. Roll Call

2. Public Comment

This item is reserved for persons wishing to address the Committee on any Committee-related matters that are not otherwise on this meeting agenda. Public comments on matters listed on the agenda shall be heard at the time the matter is called.

3. Action to Set the Agenda

4. Approval of Consent Agenda

4.1 Approval of Minutes of September 9, 2019 Advisory Committee Meeting

5. Presentations

5.1 SFEI San Francisco Bay Shoreline **Adaptation Atlas***

5.2 Existing Flood Resiliency Program*

6. Regular Agenda

6.1 Adopt FSLRRD Board Member Guidelines (ACTION)

6.2 Assign temporary Signature Authority to San Mateo County Public Works Director (ACTION)

7. Chair's Report

8. Interim CEO Report*

9. Advisory Committee Reports

9.1 Ad Hoc CEO Recruitment Subcommittee Report*

10. Committee Member Reports*

11. Items for Future Agenda

12. Adjournment

* Indicates that reports are verbal only.

Meeting Rules and Procedures

Signing up to speak to the Committee and Time Limits: For the orderly recognition of members of the public who wish to speak before the Committee, speakers are asked to fill out a speaker request form and give it to the Committee Clerk. However, speakers may elect not to identify themselves by name. The form is available in the entryway area for the meeting room. Public comment is generally limited to two minutes per speaker, although the Committee Chair may modify this time limit. Prearranged presentations are generally 10 minutes.

Accommodations for people with disabilities: Individuals who need special assistance or a disability-related modification or accommodation (including auxiliary aids or services) to participate in this meeting, or who have a disability and wish to request an alternative format for the agenda, meeting notice, agenda packet or other writings that may be distributed at the meeting, should contact Rochelle Kiner, Deputy Director of Public Works for Administrative Services and Airports, at least two working days before the meeting at 650-599-1423 and/or rkiner@smcgov.org. Notification in advance of the meeting will enable the Committee to make reasonable arrangements to ensure accessibility to this meeting and the materials related to it. Attendees of this meeting are reminded that other attendees may be sensitive to various chemical based products.

Communicating with Committee Members: If you wish for your written communication or materials to be distributed to all Committee Members, please email such communication or materials to rkiner@smcgov.org or mail them to the address listed on the first page of this agenda, for receipt at least two business days prior to the Committee meeting.

Visual Presentations/Materials. For PowerPoint presentations, you need to provide the Committee Clerk a USB flash drive 30 minutes prior to the start of the meeting or via email by 5:00 p.m. the day prior to the meeting. Electronic formats must be PC compatible.

Public Records. Public records that relate to any item on the open session agenda for a regular Flood and Sea Level Rise Resiliency Advisory Committee meeting are available for public inspection. Those records that are distributed less than 72 hours prior to the meeting will be made available for public inspection at the same time they are distributed to all members, or a majority of the members of the Committee. The Committee has designated the San Mateo County Public Works Department (Attn. Rochelle Kiner), located at 555 County Center, 5th Floor, Redwood City, CA 94063, and at <https://publicworks.smcgov.org/flood-and-sea-level-rise-resiliency-advisory-committee>. Should you wish to have such documents sent to you by email, please contact Christine Boland, Committee Clerk, at cboland@smcgov.org, 650-599-1454.

County of San Mateo
Flood and Sea Level Rise Resiliency Advisory Committee
MINUTES
September 8, 2019

1. Call to Order/Roll Call

Chair Dave Pine called the meeting to order at 4:08 p.m. Interim Clerk Boland took roll call.

Committee Members Present:

Dave Pine, Representing Board of Supervisors, At-Large (Chair)
Debbie Ruddock, Representing Coastside (Vice Chair) (Arrived at 4:12 p.m.)
Donna Colson, Representing Northern San Mateo County cities
Maryann Moise Derwin, Representing San Mateo County cities at-large
Diane Papan, Representing Central San Mateo County cities

Committee Members Absent:

Don Horsley, Representing Board of Supervisors, District 3
Lisa Gauthier, Representing Southern San Mateo County cities

Staff Present:

Larry Patterson, Interim Executive Director
Justin Mates, Esq., County Counsel
Jim Porter, County of San Mateo Director of Public Works
Rochelle Kiner, Deputy Director, Public Works
Ann Stillman, Deputy Director, Public Works
Erika Powell, Flood Resiliency Program Manager
Danielle Lee, Deputy Director, Office of Sustainability
Christine Boland, Interim Clerk

2. Public Comment

None

3. Action to Set the Agenda

Motion/Second: Colson/Derwin moved to set the agenda.

Ayes: Colson, Derwin, Papan, Pine

Noes: None

Absent/Abstain: Gauthier, Horsley, Ruddock

Motion Passed: 4-0-3

4. Approval of Consent Agenda

4.1 Approval of Minutes of August 5, 2019 Advisory Committee Meeting

Motion/Second: Derwin/Papan moved to adopt the Consent Agenda.

Ayes: Colson, Derwin, Papan, Pine

Noes: None

Absent/Abstain: Gauthier, Horsley, Ruddock

Motion Passed: 4-0-3

5. Presentations

5.1 Resilient by Design Financing Guide

Chair Pine introduced Bob Spenser, Urban Economics, who provided an lengthy presentation on resiliency funding and financing. Mr. Spenser provided an overview of the Resilient by Design (“RbD”) Finance Guide produced by municipal advisory firm, NHA Advisors, for a similar project where Mr. Spenser acted as project manager.

Mr. Spenser discussed strategies contained in the Guide that he felt could be helpful when the Committee moves forward seeking financing. He discussed the critical role of local funding for advance planning and pre-development, partnerships with public owners of critical vulnerable assets, obtaining federal grants and seeking private philanthropy. Mr. Spenser discussed alternative and innovative funding sources and state initiatives.

At 4:12 p.m., Member Ruddock entered the meeting.

Further, Mr. Spenser provided an outline of the types of funding that would be necessary to accomplish the list of Public Works’ current “MOU” projects and how to afford such projects using potential parcel tax or property-related fees. He displayed a chart proposing \$10 and \$15 respectively, per parcel, resulting in annual revenues of \$2.1m and \$3.1m. Other local funding options were discussed, including Mello-Roos, property tax increment and/or development impact fees as a way to pay for ongoing maintenance of the current projects.

Chair Pine called for public comment. The following speakers provided comments on the presentation:

Matt

Brian Perkins, representative from Congressman Jackie Speier’s Office

Erika Powell, Flood Resiliency Program Manager

Len Materman, San Francisquito Creek Joint Powers Authority

Mr. Spenser responded to questions of Committee members regarding possible earmarking of their respective cities’ transient occupancy (hotel) taxes and local sales taxes.

5.2 Existing Countywide Flood Control District

Jim Porter, Director of Public Works, provided a comprehensive presentation on the four current flood control districts/zones; San Francisquito Creek Flood Control District, San Bruno Creek Flood Control Zone, Colma Creek and Ravenswood. He noted that the Ravenswood flood control district is currently inactive.

He discussed the history and formation of each zone, the revenue each zone produces, fund balances and future capital needs, such as new pump stations, for each respective zone. He discussed the sensitive habitats in the zones and the biologists and consultants that are used to work with the habitats. Mr. Porter reviewed the issues related to each zone that crews must address such as ongoing maintenance, trash removal, homeless encampment issues and graffiti abatement.

Committee members discussed important policy decisions that would be forthcoming as the Advisory Committee transforms into a Special District, including how the new Special District would work with the San Francisco Joint Powers Agency and Colma Creek advisory committee.

Chair Pine suggested scheduling a site visit one or more of the flood control districts in the near future.

6. Regular Agenda

6.1 Authorize Interim CEO to negotiate agreement with local agency to provide financial services to and act as fiscal agent for the Flood and Sea Level Rise Resiliency District

Larry Patterson, Interim CEO, discussed the need to establish financial services prior to the official start up of the Flood and Sea Level Rise District. Two cities have been approached to ascertain their capacity to provide such services. Mr. Patterson noted that the South Bayside Waste Management Authority has recently issued a Request for Proposals for identical needs and there may be synergy in utilizing the successful firm to provide financial services. He noted that a separate agency may be needed to perform payroll services.

Mr. Patterson discussed several positions that are critical to have in place at the District's start up, such as a Management Analyst and Accounting Manager. He referred to their job descriptions contained in the agenda packet. Committee Member Ruddock discussed the issue of recruiting staff prior to hiring the Chief Executive and suggested holding off on the hiring of staff positions.

After further discussion, consensus was reached recruit for the Chief Executive Officer first prior to recruiting staff, but to retain financial and payroll services as soon as possible.

6.2 Consider Alternative Approach to Flood and Sea Level Rise Investment Strategy Development

Mr. Patterson recalled that a draft Request for Proposals (RFQ) was developed for the Investment Strategy. The RFQ envisioned the selection of a single consulting team that would perform the work associated with all key elements of the Investment Strategy, including countywide flood and sea level rise planning, project development, engineering and public engagement. At the last meeting, the Advisory Committee expressed concern with the approach, given the limited annual budget during the start-up of the agency. Mr. Patterson proposed two new options: 1) Pursue an "all inclusive" consultant contract and postpone additional MOU projects, or 2) Pursue existing and additional MOU projects and use consultants, as needed, for specific project and public engagement needs.

After Committee discussion, consensus was reached to pursue Option 2 with the RFQ for consultant firms in Option 1, above, to be placed on hold for the time being.

7. Interim CEO Report

Mr. Patterson provided details on the general agency needs for the first day of operation, namely, office space, computers, website design and hosting, IT services and payroll. Coincidentally, the South Bayside Waste Management Authority has gone out to competitive bid for similar services and there could be synergy in utilizing the same consultant the authority has selected.

Regarding office space, Mr. Patterson discussed the need for appx. 1,400 square feet of built-out space, ideally near public transit, for a three-year initial period. He added there would be a need for legal, human resources and administrative support in the future. Mr. Patterson stated he anticipated a lengthy consent calendar at the agency's initial meeting in January.

Mr. Patterson provided an update on Assembly Bill 825, a bill that creates the Flood Control District as a Special District. It is currently on the Governor's desk awaiting approval.

8. Program Reports

8.1 Flood Control District Engineer's Report

No report.

8.2 Flood Resiliency Program Manager's Report

No report.

9. Advisory Committee Reports

9.1 Chair's Report

Chair Pine announced that the Flood and Sea Level Rise Resiliency Advisory Committee received its first stewardship award from the Floodplain Management Association. He noted that he is keeping an eye out in Sacramento for activity surrounding a resource bond for flood control endeavors.

9.2 Ad Hoc CEO Recruitment Subcommittee Report

Chair Pine, with subcommittee members Colson and Papan, reported they met recently to discuss the recruitment of the CEO position, compensation and retirement plan. The Committee has retained Avery & Associates to create a brochure and begin the recruitment.

9.3 Committee Member Reports

None.

10. Items for Future Agenda

Chair Pine briefly discussed several items for the next agenda, including a presentation on the Flood Resiliency program and other items.

11. Adjournment

The meeting adjourned at 5:55 p.m.

FSLRR Advisory Committee Agenda Report

Date: October 15, 2019

To: San Mateo County Flood and Sea Level Rise Resiliency Advisory Committee

From: Larry Patterson, Interim General Manager

Subject: FSLRRD Board Member Guidelines

RECOMMENDATION:

That the Advisory Committee provide input and direction on the draft Board Member Guidelines that will apply when the Flood and Sea Level Rise Resiliency District (District) commences operation in January 2020.

BACKGROUND:

It is recommended that the Advisory Committee adopt guidelines that establish key aspects of the Board's operation. The purpose is to provide transparency in the Board's operations and to set a standard of professionalism for the conduct of the Board's business. The proposed guidelines will help establish a tradition of open government and civil, intelligent public discourse. The guidelines are also intended to enhance public participation and Board debate so that the best possible decisions can be made for the Flood and Sea Level Rise Resiliency District.

The Advisory Committee has not yet defined how the Board will function. Consideration of the guidelines will allow the Board to consider and adopt clear procedures. For example, the Advisory Committee has not determined whether the position of Chair will rotate as is common for rotation of the Mayor role for City Councils. The guidelines, as drafted, do not anticipate rotating the position of chair and do not limit the number of times a Board member can be selected as Chair by a majority of the Board.

The draft guidelines define how items can be placed on the agenda by Board members or the public. They also define how Board members should interact with District staff and attempt to limit the commitment of significant staff time to research and report on interests of a Board member unless that interest is shared by a majority of the Board.

The guidelines propose establishing a standing committee of the Board to address the legislative interests of the District. The Legislative Committee would be comprised, at a

minimum, of the Chair and Vice Chair and would meet at least annually to consider existing or proposed legislation potentially affecting the District.

After adoption, the guidelines can be modified by majority vote of the Board. If the direction of the Advisory Committee is to move forward with adoption, Board Member Guidelines will be included on the January 2020 District Board agenda.

FISCAL IMPACT:

Adoption of the guidelines will not have a direct fiscal impact at this time. The guidelines do provide clarity regarding reimbursable expenses and other financial issues that members may encounter during their service on the District Board.

ATTACHMENTS:

1. Draft FSLRRD Board Member Guidelines

Draft

Flood and Sea Level Rise Resiliency District Board Member Guidelines

Adopted on *****, 2019

FSLRRD Board Member Guidelines

Table of Contents

1.	Purpose and Overview	3
2.	Authority of the Board	4
3.	Duties	5
4.	Selection of Chair and Vice Chair	7
5.	Board Member Conduct.....	8
6.	Meetings.....	9
7.	Meeting Agendas	12
8.	Financial Matters	14
9.	Communication.....	18
10.	Legislative.....	21
11.	References.....	22

1. Purpose and Overview

This handbook provides guidelines for the Flood and Sea Level Rise Resiliency District (District) Board that describe the way the Board does its business.

The purpose of these guidelines is to ensure transparency in the Board's operations and to set a standard of professionalism for the conduct of the Board's business. The Flood and Sea Level Rise Resiliency District wishes to establish a tradition of open government and civil, intelligent public discourse. These guidelines are intended to enhance public participation and Board debate so that the best possible decisions can be made for the Flood and Sea Level Rise Resiliency District.

DRAFT

2. Authority of the Board

1. The Board is the policy and lawmaking body of the countywide Flood and Sea Level Rise Resiliency District. State law define the powers and responsibilities of the Board. To the extent of any conflict between these Guidelines and state law, state law shall prevail.

2. General Authorities and Applicability

The Board shall determine its own rules and order of business. When not in conflict with the Constitution or laws of the State of California, these Board Guidelines (“Guidelines”) shall be in effect upon adoption by resolution of the Board.

3. Revisions to these Rules

The Board shall review and revise these Guidelines as needed.

4. Rosenberg’s Rules of Order

To the extent these Guidelines do not address an issue of parliamentary procedure for legislative body meetings, *Rosenberg’s Rules of Order: Simple Parliamentary Procedures for the 21st Century* shall apply.

3. Duties

1. Duties of Board Chair

- A. To conduct meetings of the Board as its chairperson.
 - 1. Ensure that consideration of items on the agenda move along without delay.
 - 2. Ensure that petitioners, proponents and opponents are heard but not allowed to disrupt the meeting.
 - 3. Ensure that decorum is maintained at the meeting.
 - 4. In presiding over matters where the public has provided testimony and/or raised questions, the Chair should:
 - a. Restate the question coming before the Board.
 - b. Direct questions or comments requiring a response to staff for a response.
 - c. Ensure that staff and members of the public direct their comments to the chair.
 - d. If necessary, help keep Board Member questions relevant to the matter being considered by the Board.
 - e. If necessary, consider calling for a brief recess if orderly conduct of the meeting is being disrupted.
 - f. Announce the decision of the Board on all subjects.
 - 5. To ensure that each member of the Board is provided an opportunity to completely express their views on items of business, the Chair should:
 - a. See that Board Members ask to be recognized by the Chair before speaking.
 - b. Ensure that each Board Member is given the opportunity to fully express their views.
- B. On behalf of the Board, to officially welcome dignitaries, officials, and gatherings.
- C. To review the agendas of meetings of the Board and participate in their preparation as necessary.

- D. To serve as the District's primary contact for the media.
- E. Nothing under the Chair's duties shall limit any individual Board Member's ability to interact with members of the public.

2. Duties of Vice Chair

In the absence of the Chair from the City or a Board meeting, the Vice Chair shall possess all powers of the Chair and be subject to all prescribed duties for that office.

3. Duties of Board Members

- A. Arrive on time for all Board meetings.
- B. Review all meeting materials in preparation for Board meetings.
- C. Fulfill any other roles or perform any other tasks as may be assigned by the Board.

DRAFT

4. Selection of Chair and Vice Chair

1. Board reorganization, including selection of Chair and Vice Chair occurs annually at the regular meeting in December.
2. The Board believes that experience as a Board Member will assist those who are selected to serve as Chair or Vice Chair, and that it is in the District's best interest that these selections be made in a manner that permits the Chair and Vice Chair to gain that experience in governing and to acclimate themselves to the jobs, tasks, and roles prior to assuming their respective offices.
3. The Board has not established a regular rotation of members into the Chair and Vice Chair positions so all members are eligible to fill the positions and can be selected by a majority of the Board to remain in the position without any term limitation.
4. A Board Member may decline to serve as Chair or Vice Chair.

DRAFT

5. Board Member Conduct

1. Members shall:
 - A. Always put the public interest first;
 - B. Treat each other, staff, and members of the public with dignity, courtesy, and respect;
 - C. Maintain confidentiality of all closed session materials and discussion;
 - D. Be attentive to others, limiting interruptions and distractions;
 - E. Encourage diverse viewpoints in debate while being mindful not to prolong discourse or block consensus;
 - F. Agree to respectfully disagree
 - G. Keep comments clear, concise, and on-topic;
 - H. Start and end meetings on time, work from the agenda;
 - I. Present problems in a way that promotes discussion and resolution.
2. Board Members are subject to all the provisions of the District's *Harassment, Discrimination and Reasonable Accommodations for Disabilities Policy*. **(Note that this District policy will be developed and adopted by the Board subsequent to commencement of the FSLRRD in January 2020)**

6. Meetings

1. All Board decisions must be made at District Board meetings. Before taking action, the Board may be informed by project applicants, interested members of the public, and District and city staff.
2. No business may be transacted by the Board at a regular or special meeting unless a quorum of the membership is present (4 members).
3. Board Meeting Dates
 - A. If at any time any regular meeting of the Board falls on a holiday, the regular meeting shall be held on the next business day or the earliest business day within a week.
 - B. Once a year the Board shall adopt a schedule of Board meetings for the following year identifying any regular meeting dates that need to move due to major holidays.
 - C. Meeting dates may be amended with the approval of the Board.
4. Types of Meetings
 - A. **Regular Meetings** are conducted at a location established by the Board and will be held on the second Monday of each month. The meetings begin at 4:00 p.m. It is District policy to make every effort to complete and distribute the agenda and related reports no later than the preceding Thursday.
 - B. **Special Meetings** are called at a non-regular meeting date and time in accordance with the requirements of the Ralph M. Brown Act. They are generally called by the Chair or Board with a minimum of 24 hours' notice.
 - C. **Closed Sessions** can be part of either special or regular meetings. The Board conducts its business in public to the greatest extent possible. State law recognizes that public discussion of certain items could jeopardize the public interest, compromise the District's position, or cost the citizens of San Mateo County financially, and, therefore, generally allows the Board to hold closed session meetings for the consideration of certain matters.
 - D. **Emergency Meetings** are allowed per the Ralph M. Brown Act when the Board determines that an emergency situation exists.

5. Voting

A motion, second, and a majority vote of the Board shall be required for any formal action of Board.

6. The Chair with the approval of a majority of the Board members present, can change the order of hearing of items on the agenda.

7. Public Participation

A. Members of the public are encouraged and invited to participate in the legislative process by submitting written comments before the meeting or speaking in person at a meeting.

B. It is the intent of these rules to allow everyone to be heard without fear of jeers or cheers that may discourage public participation. For this reason, these rules are taken seriously. Disruptive or unruly behavior may result in removal from the Board meeting.

C. Time Limits for public comment:

1. Individual Speakers - 3 minutes

2. The Chair may, at his/her discretion, adjust the amount of time allotted to the speaker(s) when needed

D. Individuals who wish to speak should submit a speaker card to the Clerk of the Board to be called up at the appropriate time.

8. Regular Agenda Items will generally follow the following sequence:

A. Staff / applicant presentation

B. Board Member questions to applicant and/or staff

C. Open public hearing (or public comment section) for comments

D. Close public hearing (or public comment section)

E. Response by staff to public questions/concerns, if warranted

F. Board discussion and deliberation

G. Board votes

9. Action Minutes

- A. The Board shall use Action Minutes (action minutes contain very little, if any, narrative content) or light summary at the discretion of the Clerk of the Board, to record their proceedings.
- B. Motions and votes are shown in the record.
- C. Audio or video recordings will be used in order to provide a verbatim record of meetings.

10. Conflict of Interest

- A. Conflicts of interest of the Board are governed by state law, including the Political Reform Act (PRA) and Government Code.
- B. It is the responsibility of every Board Member to identify his or her possible conflicts. Whenever it appears to a Board Member they may have a prohibited financial or economic interest in any District contract, or other matter that may be presented to the Board, the Board Member should alert the District's Counsel at the earliest opportunity so that District Counsel may advise the Board of any necessary action to address the conflict.

7. Meeting Agendas

1. Agenda Order

Board agendas will be prepared by the District CEO and Clerk of the Board and presented to the Board in the order described below.

A. Opening

1. Pledge of Allegiance
2. Roll Call

B. Public Comment

Members of the public wishing to comment on any item not appearing on the agenda may address the Board at this time. State law prevents the Board from taking action on any matter not on the agenda. Comments may be referred to staff for follow up. Public comment is limited to a total of 15 minutes; however, an opportunity for additional public comment will be provided later in the agenda, if needed.

C. Action to Set Agenda

A majority of the Board shall take action to set or modify the agenda as published.

D. Consent Calendar

All matters listed under the Consent Calendar are considered by the Board to be routine and will be enacted by one motion without discussion. If discussion is desired, that item may be removed and considered separately.

E. Presentations

Informational items presented by staff or outside agencies for which no formal action is to be taken.

F. Regular

Non-routine items requiring an oral presentation and discussion before action is taken.

G. Reports

CEO and Board Members report on their various activities in support of the District's business. This may include reports from any ad hoc subcommittees that may be established by the Board.

G. Future Agenda Items

Board members may request that items be placed on future agendas per the process outlined below.

H. Adjourn

2. Agenda Item Submission

A. Persons who can place matters on the agenda: District CEO or the District's Counsel

B. Board Member:

1. A Board Member may request an item be considered on a future agenda and, upon agreement of a majority of Board, staff will prepare a staff report and place the item on a subsequent agenda.
2. Board Members may make this request verbally during a meeting or may submit a written request.

C. Members of the Public

1. A member of the public may request Board action in the following ways:
 - a. Written correspondence to the Board
 - b. Speak during the Public Comment period at a Board meeting
2. Upon agreement of a majority of the Board, the item requested by a member of the public may be placed on a future agenda.

8. Financial Matters

1. Board Member Expense Reimbursement Policy

A. Authorized Expenses

1. District funds, equipment, supplies, titles, and staff time must only be used for authorized District business and in compliance with the District's Procurement Policy and accounting standards. Members of the Board are entitled to reimbursement of the actual cost of expenses, including meals, that are reasonably incurred in the performance of official duties. Expenses incurred in connection with the following types of activities generally constitute authorized expenses, as long as the other requirements of this policy are met:
 - a. Communicating with representatives outside of San Mateo County on regional, state and national government matters of interest to the District.
 - b. Attending educational seminars, approved by the Board, that are designed to improve officials' skill and information levels.
 - c. Participating in local, regional, state, and national organizations whose activities effect the District's interests; however, a member of the Board shall not accept an elected or appointed position that would require anticipated costs to the District of more than \$100 annually without Board approval.
 - d. Attending fundraising events for nonprofit entities providing services of benefit to the District and /or its residents.
 - e. Attending District events.
2. All other expenses require prior approval by the Board.
3. The District will not reimburse the following expenses:
 - a. The personal portion of any trip.
 - b. Political contributions or events.
 - c. Family expenses, including partner's expenses when accompanying official on agency-related business.
 - d. Entertainment expenses, such as movies, sporting events, or cultural events.

- e. Non-mileage personal automobile expenses, including repairs, citations, insurance or gasoline.
- f. Alcohol
- g. Expenses incurred for events that are social in nature such as parties, retirements, holiday events, and picnics and are not of benefit to the mission of the District.

B. Cost Control

To conserve District resources and keep expenses within community standards for public officials, expenditures should adhere to the following guidelines. If expenses are incurred that exceed these guidelines, the cost borne or reimbursed by the District will be limited to the costs that fall within these guidelines.

1. Airfare

Airfares that are equal to or less than those available through the League of California Cities, the California State Association of Counties and the State of California are presumed to be the most economical and reasonable for purposes of reimbursement under this policy. Members are required to use coach or economy class air travel accommodations.

2. Airport Parking

Long-term parking must be used for travel exceeding 24 hours.

3. Automobile

Mileage shall be reimbursed at IRS rates presently in effect (see www.irs.gov). These rates are designed to compensate the driver for gasoline, insurance, maintenance, and other expenses. In addition, drivers may be reimbursed for bridge and road tolls. For rental vehicles, only receipted fuel expenses will be reimbursed.

4. Car Rental

Rental rates that are equal or less than those available through the State of California's website (<http://www.catravelmart.com/default.htm>) shall be considered the most economical and reasonable for purposes of reimbursement under this policy.

5. Conferences/Meetings

If such lodging is in connection with a conference, lodging expenses must not exceed the group rate published by the conference sponsor for the meeting in question if such rates are available at the time of booking. If the group rate is not available, rates that are equal to or less than the group rate at the host hotel are presumed to be reasonable and reimbursable for purposes of this policy.

6. Internet

Officials will be reimbursed for Internet access connection and/or usage fees away from home, if Internet access is necessary for District business.

7. Lodging

Lodging expenses will be reimbursed or paid for when travel on official District business reasonably requires an overnight stay. Lodging rates shall not exceed those provided in the Code of Federal Regulations and as listed by the website of the US General Services Administration (available online at <http://www.gsa.gov/portal/content/104877> or by searching www.gsa.gov for the term 'CONUS')

8. Meals

Reimbursable meal expenses and associated gratuities will not exceed the most recent CONUS rates. Current CONUS rates can be found at www.gsa.gov/perdiem.

When the meal function is an organized event, the official or employee shall be reimbursed the amount being charged by the event organizer for the meal. The District will not pay for alcohol/personal bar expenses.

9. Taxis/Shuttles/Car Service

Taxis or shuttle fares may be reimbursed, including a 15 percent gratuity per fare, when the cost of such fares is equal or less than the cost of car rentals, gasoline, and parking combined, or when such transportation is necessary for time-efficiency. The use of car services such as Uber or Lyft is permitted. Board Members shall use the least expensive and most efficient form of ground transportation.

10. Telephone/Fax/Cellular

Officials will be reimbursed for actual telephone and fax expenses incurred on District business. Telephone bills should identify which calls were made on District business.

11. Transportation

Officials traveling on District business shall use the most economical mode and class of transportation reasonably consistent with scheduling needs and cargo space requirements, using the most direct, time-efficient route. Government and group rates must be used when available.

C. Expense Reports

1. Expense reimbursement requests must be submitted on an expense report form provided by the District. Reports must document how the expenditure met the requirements of this policy.
2. Expense reports must be submitted within 30 days of an expense being incurred and must be accompanied by receipts documenting each expense and documentation of the event, if available (such as an agenda, conference schedule, or training flyer).
3. Expense reports are a public record.

D. Audits of Expenses

All expenses are subject to verification that they comply with this policy, the District's Procurement Policy and accounting standards.

E. Reports on Meetings

Each official shall briefly give an oral report on any Brown Act meetings they attended for which they receive expense reimbursement at their next Board meeting.

9. Communication

1. All letters, memoranda, and email communications involving Board Members, the subject of which relate to the conduct of government or the performance of any governmental function, with a few exceptions as outlined in the Public Records Act, are public records.

1. The District, in adopting this policy, does not waive attorney-client-privilege or any other privilege associated with a closed session authorized under the Ralph M. Brown Act.

2. Ralph M. Brown Act

Each Board Member should be mindful of all requirements of the Brown Act in communicating with each other.

3. Mail Processing

A. Members of the Board may receive mail and other materials through the District's Office.

B. Clerk of the Board or staff open all incoming mail for the Chair and Board Members, unless it is labeled personal and confidential.

C. Clerk of the Board disseminate these materials to individual Board Members. District staff will scan and email correspondence and provide other materials to Board Member's homes/offices.

D. General correspondence addressed to Board Members as a whole, may be opened and delivered to all Board Members if appropriate.

4. Correspondence

A. The Clerk of the Board is authorized to receive and take administrative action on all correspondence directed to the Board. The Clerk of the Board may also respond to correspondence submitted to the full Board on non-agenda items or authorize a staff member to respond. A courtesy copy is provided to each Board Member.

B. Generally, correspondence relating to a specific Board agenda item shall be distributed with the agenda report; correspondence received after the publication of agenda packets is to be compiled and distributed to the Board prior to the Board meeting.

C. After the Board has taken a position on an issue, official correspondence should reflect this position. While Board Members who may disagree with a position are free to prepare correspondence on such issues as private citizens, District letterhead, official Board title, and staff support should not be utilized. In addition,

District letterhead and staff support cannot be utilized for personal or political purposes.

- D. District letterhead, logo, insignia and brand, as well as, staff support cannot be utilized for personal or political purposes.

5. Written Communications for Board Meetings

- A. The deadline for the receipt of written communications for inclusion in the agenda packet is up to 5:00pm the Monday, one week prior to the Board meeting. This is to allow for adequate staff review and analysis and to ensure public access to information.
- B. Materials distributed to Board Members during the meeting shall be available for viewing by the public during the meeting if the materials were prepared by the District, or at the conclusion of the meeting if prepared by another person.
- C. If a Board Member receives materials regarding an agenda item, s/he shall forward it to the Clerk of the Board and the District CEO as soon as possible.
- D. If late correspondence is received, the Board will determine at the meeting whether to continue or refer the item to staff if it may result in significant changes to a project, or significant new information has become known.

6. Board - Staff Relations

- A. Individual Board Members may make requests of District staff through the District CEO for limited research and information without the formal concurrence of a majority of the member's colleagues. Requests that will require significant staff time may be referred to the full Board and only pursued if supported by a majority of the Board.
- B. Board Members are encouraged to submit their questions on agenda items to the District CEO as far in advance of the meeting as possible so that Staff can be prepared to respond at the Board meeting.
- C. Board Members should direct any questions on staff reports to the District CEO or designee.
- D. Clarifications or technical questions will be answered before the meeting whenever possible.
- E. Questions and all staff-prepared responses will be forwarded to all Board Members.

- F. Board members may not direct staff activities. Staff work may be requested through the District CEO or through action of the Board on an agenda item.

7. Speaking for “the District”

Similar to written correspondence, when Board Members are requested to speak to groups or are asked the Board’s position on an issue, the response should reflect the position of the Board as a whole. Of course, a member may clarify his/her vote on a matter by stating, for example, “While I voted against X, the Board voted in support of it.” When representing the District at meetings or other venues, it is important that those in attendance gain an understanding of the Board’s position rather than that of an individual member.

8. Speaking as an Individual

On occasion, Board Members may wish to transmit correspondence on an issue upon which the Board has no position. In these circumstances, members should clearly indicate in their communications that they are not speaking for the Board as a whole, but for themselves as an individual member of the Board. District letterhead and office support may be utilized in these circumstances.

DRAFT

10. Legislative

1. Board Legislative Committee

- A. It is the policy of the District Board that the Board be involved in the development of the District position on significant pending federal and state legislation that may directly impact the District.
- B. At minimum, the Chair and Vice Chair are the District's Legislative Committee. The maximum number of Legislative Committee members is three.
- C. The Legislative Committee shall meet annually or as needed to draft the District's annual legislative priorities, and shall meet when necessary to develop recommendations for the District's position on legislative matters.
- D. Pending legislation for consideration by the Legislative Committee can be submitted to the Committee by a Board Member or the District Chief Executive Officer (CEO).
- E. The Committee's recommendations shall be presented to the Board for its consideration.
- F. The Board shall direct the Chair or other District official to communicate the District's position on legislative matters to the appropriate legislative bodies.

11. References

1. [Ralph M. Brown Act](#) (California Government Code, § 54950 et seq.)
2. [California Public Records Act](#) (California Government Code, § 6250 et seq.)
3. [AB 1234](#) California Government Code, § 53232.3
4. [Rosenberg's Rules of Order https://www.cacities.org/Resources/Open-Government/RosenbergText_2011.aspx](https://www.cacities.org/Resources/Open-Government/RosenbergText_2011.aspx)
5. [Continental United States \(CONUS\) rates: https://www.gsa.gov/perdiem](https://www.gsa.gov/perdiem)

DRAFT

FSLRR Advisory Committee Agenda Report

Date: October 15, 2019

To: San Mateo County Flood and Sea Level Rise Resiliency Advisory Committee

From: James C. Porter, Director of Public Works

Subject: Authorization to Execute Service Agreements for FSLRRD Formation

RECOMMENDATION:

That the Advisory Committee approve the following actions:

- 1) Authorize the Director of Public Works to execute service agreements, on behalf of the Flood and Sea Level Rise Resiliency District (FSLRRD), for the formation of the new District for the period up to December 31, 2019, in an amount up to 100,000, utilizing procurement policies and procedures adopted by the San Mateo County Board of Supervisors; and
- 2) Authorize the assignment of service agreements, executed by the Director of Public Works on behalf of the FSLRRD, to the new FSLRRD on or about January 1, 2020.

BACKGROUND:

On September 12, 2019, the Governor approved AB 825 which establishes the San Mateo County Flood and Sea Level Rise Resiliency District (FSLRRD) for the purpose of addressing sea level rise, flooding, coastal erosion, and large-scale stormwater infrastructure improvements through an integrated regional approach. The new District will commence on January 1, 2020 and the current San Mateo County Flood District will be renamed the FSLRRD under the governance of the FSLRRD Board of Directors. In preparation of the San Mateo County Flood District's and the Enhanced Flood Program's transition to the new FSLRRD, the Director of Public Works will need to enter into service agreements for the formation of the new District so that it is operational on January 1, 2020.

Management and operation of the existing San Mateo County Flood District is currently under the Department of Public Works of San Mateo County. Under the procurement provisions adopted by the San Mateo County's Board of Directors, Department Heads are authorized to

execute service agreements up to \$100,000 for a term of up to 3-years without requiring Board of Supervisor approval.

DISCUSSION:

The Department of Public Works and the interim CEO are working collaboratively to research and procure services that need to be in place once the new FSLRRD commences on January 1, 2020 to facilitate a smooth transition to the new District. Examples of the types of service agreements that will need to be executed are; payroll, HR, employee benefits, web design, IT services, and insurance.

All service agreements will contain a clause that transfers the agreement and all rights, responsibilities and interests to the new FSLRRD on or about January 1, 2020.

FISCAL IMPACT:

There are sufficient funds in the FY 2019-20 Department of Public Works Adopted Budget to fund the service agreements until such time they transfer to the FSLRRD on or about January 1, 2020.