

County of San Mateo
Flood and Sea Level Rise Resiliency Advisory Committee
San Mateo City Hall, Room C, San Mateo, CA
MINUTES
November 12, 2019

1. Roll Call

Chair Dave Pine called the meeting to order at 4:05 p.m. Interim Clerk Boland took the roll call.

Committee Members Present:

Dave Pine, Representing Board of Supervisors, At Large (Chair)
Debbie Ruddock, Representing Coastside (Vice Chair)
Donna Colson, Representing Northern San Mateo County cities
Maryann Moise Derwin, Representing San Mateo County cities at large
Lisa Gauthier, Representing Southern San Mateo County cities
Don Horsley, Representing Board of Supervisors, District 3
Diane Papan, Representing Central San Mateo County cities

Staff Present:

Larry Patterson, Interim CEO
Jim Porter, County of San Mateo Public Works Director
Rochelle Kiner, Deputy Director, Public Works
Ann Stillman, Deputy Director, Public Works
Erika Powell, Flood Resiliency Program Manager
Brian Kulich, Esq. County Counsel
Christine Boland, Interim Clerk

2. Public Comment

Chair Pine called for public comment.

Ellen Cross presented Committee members with an award from the Floodplain Management Association.

Brian Perkins, District Director, Congresswoman Jackie Speier's office, discussed the process for requesting study request funds and announced the upcoming deadline for applying for Water Resources Development Act funds.

3. Action to Set the Agenda

Motion/Second: Ruddock/Gauthier moved to set the agenda.

Ayes: Colson, Derwin, Gauthier, Horsley, Papan, Ruddock, Pine
Noes: None
Absent/Abstain: None
Motion Passed: 7-0-0

4. Approval of Consent Agenda

4.1 Approval of Minutes of October 15, 2019 Advisory Committee Meeting

Motion/Second: Horsley/Gauthier moved to approve the Consent Agenda.

Ayes: Colson, Derwin, Gauthier, Horsley, Papan, Ruddock, Pine

Noes: None

Absent/Abstain: None

Motion Passed: 7-0-0

5. Presentations

5.1 Draft Three-Year Work and Financial Plans

Chair Pine introduced Interim Chief Executive Officer, Larry Patterson, who outlined a draft work plan and a financial picture for the next three years. He noted that at the end of three years, a funding mechanism needs to be in place to continue as a new special district.

Mr. Patterson discussed the Flood Resiliency Program and outlined work anticipated on the three current Memorandum of Understandings (“MOU’s”); the Bayfront Canal, Belmont Creek and the Navigable Slough. The start-up of the District includes development of a Flood and Sea Level Rise Investment Strategy. This strategy envisions more MOU projects. An example could be in the cities of Burlingame, Millbrae and San Francisco Airport, Coastside and possibly with the San Mateo County Harbor District. A regional stormwater MOU is also likely to address major capital investments to meet the Regional Water Quality Control District permit requirements. Regarding the funding for the projects, he stated that the agencies would have to fund their respective projects but that grant funding could also be sought.

Mr. Patterson then discussed the financial plan for the new District. Start-up operating revenue of \$1.5m had been secured from a combination of the County of San Mateo and Peninsula cities. It was noted that development of new MOU’s would be part of the Investment Strategy and funded with the start-up funds. However, the new MOU projects (like existing MOU projects) would be funded by the participating agencies and with grant funds.

Continuing, Mr. Patterson presented a staffing scenario for the start-up operations consisting of a permanent Chief Executive Officer, a Flood Resiliency Program Manager, Associate Engineer, Senior Accountant, Management Analyst, and administrative support person. He acknowledged and thanked the County of San Mateo for its generous and significant staffing support during the proposal endorsement process and in preparing for the commencement of District operations. Other areas of support needed to start up the agency were in the areas of Information Technology, Human Resources function, auditing and insurance areas, all of which results in a negative financial picture in year two of the agency budget.

Mr. Patterson responded to Committee members questions and concerns regarding the costs associated with staffing, defined benefit/contribution plans, investment strategy, Proposition 218 process, and private funding necessary to hire a ballot polling strategist.

Chair Pine expressed concern with the personnel expenses and stated that the administrative assistance may have to be delayed. He noted that more board meetings may be needed in the beginning, as the new agency starts up.

Public Comment

Ann Draper, League of Women Voters, acknowledged the work of the staff on the work plan. She addressed the Committee on the importance of public engagement.

Brian Perkins, Congressman Jackie Speier's office, discussed possible new MOU projects or technical assistance needed for 301 Esplanade, Pacifica, areas in San Bruno, and Redwood Shores, respectively.

6. Regular Agenda

6.1 Authorize Payroll and Human Resources (HR) Services Contract

Mr. Patterson stated an agreement would be brought forward on the January agenda for the payroll and human resources services, including on-boarding, and establishing policies to provide the best management practices. Rochelle Kiner, Deputy Public Works Director, added that she would provide an estimate of the expected cost of those services.

Motion/Second: Ruddock/Horsley moved to authorize Mr. Patterson to move forward in obtaining proposals from PCE and arrange for the provision of payroll and HR services, including a defined benefit program for the start up of the organization.

Ayes: Colson, Derwin, Gauthier, Horsley, Papan, Ruddock, Pine

Noes: None

Absent/Abstain: None

Motion Passed: 7-0-0

6.2 Contract with Stephen Groener Associates (SGA) for Website Design and Hosting

Mr. Patterson outlined the proposed contract with Stephen Groener Associates (SGA), for website design and hosting services. He noted the scope of work for on-going support was identical to that of the South Bayside Waste Management Authority (SBWMA), which was recently awarded. The scope of work also includes work to develop branding for the District and initial development of the website which was work not required for SBWMA.

Motion/Second: Papan/Gauthier moved to authorize the Public Works Director to proceed with signing a contract with Stephen Groener Associates for the provision of website design and hosting services.

Ayes: Colson, Derwin, Gauthier, Horsley, Papan, Ruddock, Pine

Noes: None

Absent/Abstain: None

Motion Passed: 7-0-0

County Counsel Kulich noted the contract would be transferred from the County to the new Flood agency in January 2020.

At approximately 5:20 p.m. Director Diane Papan was excused from the remainder of the meeting.

6.3 Contract with DTE Networks for Information Technology Services

Mr. Patterson outlined the proposed time and expense contract with DTE Networks for the provision of setting up Information Technology services, noting again that the contract is identical to that of the South Bayside Waste Management Authority.

Chair Pine inquired about the services being provided and hardware that is needed to be purchased. Ms. Kiner responded with details regarding the labor hours and tasks contained in the contract.

Motion/Second: Derwin/Horsley moved to authorize the Public Works Director to proceed with signing a contract with DTE Networks for Information Technology services, website design and hosting services.

Ayes: Colson, Derwin, Gauthier, Horsley, Ruddock, Pine

Noes: None

Absent/Abstain: Papan

Motion Passed: 6-0-1

6.4 Approve Terms of the Lease for Suite 502 at 1700 South El Camino Real in San Mateo and Recommend Approval of Lease by the San Mateo County Board of Supervisors

Mr. Patterson reported on the search of offices space. After reviewing six locations, he stated that the space at 1700 South El Camino, Suite 502, San Mateo, was the best location for the new agency. He outlined the cost of \$3.75 per square foot, which includes space for eight employees, a conference room and use of a board room on the first floor. The targeted move-in date was January 2020. The building's tax assessment and how it affects tax liability was discussed.

Motion/Second: Horsley/Gauthier moved to recommend that the Board of Supervisors authorize a lease at 1700 El Camino, Suite 502, San Mateo as the new Flood agency's office.

Ayes: Colson, Derwin, Gauthier, Horsley, Ruddock, Pine

Noes: None

Absent/Abstain: Papan

Motion Passed: 6-0-1

6.5 Authorize recruitment of Senior Accountant Position

Mr. Patterson discussed the critical need to recruit for a Senior Accountant position prior to the start up of the agency, the types of items that were necessary for the position to work on at the start up, the critical role the position plays in preparing budgets and working with the auditor. Rochelle Kiner, Deputy Public Works Director, discussed how the segregation of duties would be accomplished using County personnel and the Senior Accountant in segregating the duties of processing payment versus actual paying invoices.

Chair Pine discussed the high administrative costs and the need for a full-time versus part-time Senior Accountant. Responding, Mr. Patterson discussed the difficulty of recruiting part time professional staff and felt that offering a full-time position would be easier in the start up for such a critical assignment.

Motion/Second: Derwin/Horsley moved the recruitment of a Senior Accountant.

Ayes: Colson, Derwin, Gauthier, Horsley, Ruddock, Pine
Noes: None
Absent/Abstain: Papan
Motion Passed: 6-0-1

At 5:30 p.m. Committee Member Donna Colson was excused from the remainder of the meeting.

6.6 Review Proposed Updates and Revisions to the Joint Powers Agreement Creating the San Francisquito Creek Joint Powers Authority (SFCJPA)

Director of Public Works Porter stated the joint powers agreement was formed with five agencies, creating the San Francisquito Creek joint powers authority, noting it has not been updated since its inception. He discussed the proposed changes of restating the JPA's purpose, new language that the entity could enter into debt, issue bonds, creating financing districts, hold property, the addition of adding new members and seeing approval from the member agencies. County Counsel Kulich discussed provisions in the agreement and agreed that inserting the new name of the Flood agency was acceptable but technically the responsibilities remained the same.

Executive Director of the SFCJPA, Len Materman, stated with the proposed changes, it would be timely to add the new name of the Flood agency in the document.

Mr. Porter noted that the Board of Supervisors would need to approve the changes to the joint powers agreement at a future meeting.

6.7 Transfer of Flood Control District and Flood Resiliency Programs, Fund Balances, Contracts and Existing Bond Obligations to Flood and Sea Level Rise Resiliency District

Mr. Patterson introduced Brian Kulich, new County Counsel for the new Flood agency, replacing Justin Mates, who was recently promoted to a position in the County Manager's office.

Deputy Director Public Works, Kiner outlined actions needed in December by the Board of Supervisors' actions to transfer the current County flood district, contracts, land assets, MOU's, bond debt, property tax revenue, fund balances, and three County employees, over to the new Flood agency. County Counsel Kulich discussed the ordinances and resolutions that would need to be adopted by the new Flood agency formally in January. Mr. Patterson acknowledged that the first meeting in January would be a lengthy one.

6.8 Master Agreement with the County of San Mateo for Engineering, Finance, Administration, and County Counsel Services

Deputy Public Works Director Kiner stated that a master agreement would be developed for engineering, finance, administration and County Counsel services, presented to the Board of Supervisors in December and accepted by the new Flood agency in January.

7. Chair's Report

Chair Pine discussed a potential project in the City of Foster City, who has obtained approval from the Bay Conservation and Development Commission already, acknowledged Supervisor Horsley's district for the work done on the Pescadero marsh project and expressed appreciation to Deputy Public Works Director Ann Stillman and Mark Chow for their work in obtaining a \$3m grant for the Colma Creek work.

8. Interim CEO Report

Mr. Patterson reported that the Southern California Association of Governments (S/CAG) requested to use the new Flood agency as a model of how to start up such an agency in Southern California and has invited interested board members to serve on a panel at its upcoming conference. Chair Pine expressed interest in serving.

9. Advisory Committee Reports

9.1 Ad Hoc CEO Recruitment Subcommittee Report

Ms. Kiner updated the Committee on the recruitment of the new Chief Executive Officer being conducted by the recruiting firm of Avery & Associates. After screening, interviews would be conducted.

10. Committee Member Reports*

Committee Member Derwin reported on her attendance at the Estuary conference and encouraged members to attend the next one in two years.

11. Items for Future Agenda

Chair Pine and Interim CEO Patterson acknowledged the possibility of scheduling new Flood agency meetings twice a month (possibly second and fourth Mondays) and cancel the second meeting of the month, if not needed.

12. Adjournment

The meeting adjourned at 5:58 p.m. The next meeting would be held Monday, December 9, 2019, at San Mateo City Hall, San Mateo, CA.