

# Countywide Water Coordination Committee

## MINUTES MEETING OF JANUARY 18, 2019

Chair Pine called the meeting to order at 7:34 am at the San Mateo City Hall.

Attendance sheet is attached.

**1. Public Comments on items not on the agenda.**

None.

**2. Approval of minutes from the December 20, 2018 meeting.**

*Motion: Member Vaterlaus moved to approve the December 20, 2018 minutes as presented; Seconded by Member Chuang; Motion carried 6-0.*

**3. Receive debrief of the Jan 10, 2019 C/CAG Board of Directors meeting.**

Larry Patterson, who is under contract with San Mateo County to support Phase 2 of the Flood and Sea Level Rise Resiliency Agency (FSLRRA) proposal, including outreach to the 20 towns and cities for consideration of endorsement and initial funding commitments, provided a recap of the Jan 10 C/CAG Board of Directors meeting. After receiving a presentation of the proposal and the proposed schedule for outreach and modifying the existing 1959 San Mateo County Flood Control District Act to create the new agency, the C/CAG Board endorsed the proposal unanimously. Chair Pine noted that the C/CAG Water Coordination Committee did a good job of keeping the Board informed of the process, and members were very supportive at the time of endorsement, though some members of the Board suggested there should be a closer look at potential issues of equity and social justice regarding how projects are advocated for. The County Board of Supervisors will consider endorsement of the proposal at its January 29, 2019 meeting.

**4. Receive update and provide direction on the Flood and Sea Level Rise Resiliency Agency outreach plan.**

Larry Paterson provided an overview of the town/city outreach plan and presented City Council meeting dates to begin scheduling meetings. Based on input from the Committee and communications between Mr. Patterson and the City/Town Managers, it was determined that most jurisdictions will only need one meeting with an action item to endorse the proposal and provide financial commitment for the first three years of the FSLRRA. Some jurisdictions that have existing MOUs via the Flood Resilience Program and the San Francisquito Creek JPA, however, may require a study session, followed by an endorsement and approval of funding, because of the nature of existing funding and partnerships within the county on similar issues. Some agencies, like South San Francisco, plan to include the endorsement in the annual budget process. Mr. Patterson encouraged all agencies to take formal action and will circulate a draft staff report and resolution to support this process by the next meeting. Erika Powell also presented the proposal to the City/County Engineers Association meeting on Jan 17 and the proposal was well received. Mr. Paterson will call all City Managers to further express interest in scheduling items to city councils. Lastly, the Committee addressed the need for broader outreach to non-governmental organizations and advocacy groups, as well as significant property owners (i.e., SFO, or private companies), to support the agency or potential future funding initiatives after the agency is formed.

**5. Receive update and provide direction on draft legislation for modifying the San Mateo County Flood Control District Act.**

County Counsel staff, Paul Okada, provided an update on the process for developing draft legislation for modifying the existing 1959 San Mateo County Flood Control District Act to: modify the name of the agency; change the governance structure from the Board of Supervisors to a new seven-member Board consisting of two County Supervisors and five City Council representatives; updating the funding/financing authorities to be consistent with current State constitutional restrictions; and updating authorities to address coastal erosion, and sea level rise. County Counsel has reviewed the existing legislation and began addressing recommended modifications to relevant clauses. Committee members discussed the following issues related to modifying the District Act:

- The existing District has issued bonds against pre-Prop 13 property tax revenues, and the FSLRAA would want to retain this power
- Restructuring the governance will require definitions of regional membership and geographic representation – members suggested geographic representation for membership on the new Board should align with existing C/CAG geographic categorizations if they do exist
- Committee members requested staff bring back a recommendation for the proposed geographic representation of the new Board at the next Water Coordination Committee meeting
- May need to modify flood subzones or eliminate subzones, given existing countywide authority, to adequately address sea level rise and upper watershed projects
- County Counsel considered an automatic sunset clause for reverting back to the pre-existing Flood Control District unless a resolution by the Board is authorized. This approach was proposed to simplify drafting new legislation; however, Committee members discussed concerns about the many unknowns that could happen between now and a fixed sunset date and potential negatives of not having flexibility for timing to revert back.
- County Counsel noted there would need to be clarification as to changes in staffing should the FSLRAA revert to the pre-existing Flood Control District
- Other “revert” issues in terms of governance, jurisdiction and authorities also need to be addressed

Chair Pine updated the Committee on the plan for amending the statute via legislation or a budget process (trailer bill). The timeline for either process is potentially the same (June 2019), though legislation would require an urgency clause and associated 2/3 vote in each house. State Assembly Member Kevin Mullin and Senator Jerry Hill have both expressed the need to carefully craft the language respecting financing tools and authorities, to maintain support even from democratic representatives. The Committee discussed the short timeline for presenting new legislation to the State Legislature, with bill requests due January 25, 2019 and formal introduction of proposed bills by February 22, 2019. The Committee requested final draft legislation for consideration at the next Committee meeting in anticipation of the February 22 date. Due to the constrained timeline and other conflicts, the Committee agreed to reschedule the next meeting from February 15 to February 8, 2019.

**6. Adjournment.**

Meeting was adjourned at 8:30 am. Next meeting is scheduled for February 8, 2019.