



Item No. Town of Atherton

CITY COUNCIL STAFF REPORT – CONSENT AGENDA

**TO: HONORABLE MAYOR AND CITY COUNCIL
GEORGE RODERICKS, CITY MANAGER**

FROM: SUNG H. KWON, TOWN PLANNER

DATE: May 17, 2023

SUBJECT: AUTHORIZE A MEMORANDUM OF UNDERSTANDING WITH COUNTY OF SAN MATEO TO JOIN A MULTIJURISDICTIONAL SAFETY ELEMENT PROJECT WITH THE MUNICIPALITIES OF ATHERTON, BELMONT, BURLINGAME, EAST PALO ALTO, HALF MOON BAY, SAN BRUNO, BRISBANE, AND PACIFICA AND SAN MATEO COUNTY AS AGENCY PARTICIPANTS AND AUTHORIZE THE CITY MANAGER TO APPROPRIATE \$105,169 OF FUNDING FOR THE PROJECT

RECOMMENDATION

Authorize the Memorandum of Understanding (MOU) between Town of Atherton and San Mateo County for participation in a Multi-Jurisdictional Safety Element Project from June 15, 2023 to June 15, 2026; direct the City Attorney to prepare and authorize the City manager to execute the MOU and issue payments per MOU.

Authorize \$105,169 in funding for during the life of the project (June 15, 2023 to June 15, 2026) as a budget appropriation (multiple fiscal year allocations).

BACKGROUND

In recent years, the complexity of safety elements has increased along increasing State requirements, more sophisticated mapping, and expanded community outreach based on higher levels of public interest in climate change and hazard planning. Assembly Bill (AB) 162 (2007) required updates to flood hazard information and policies and Senate Bill (SB) 1241 (2012) required updates to fire hazard information and policies. The largest change for safety elements was SB 379 (amending Government Code Section 65302(g)) which requires cities and counties to include climate adaptation and resiliency information, policies, and implementation strategies in their safety elements. SB 379 passed in 2015, but provided cities and counties time to incorporate its requirements. Specifically, SB 379 required cities and counties to comply upon the next revision of a local hazard mitigation plan (LHMP) on or after January 1, 2017, or, if the local jurisdiction had not adopted a LHMP, beginning on or before January 1, 2022. Detailed

guidance from the Governor's Office of Planning & Research and Office of Emergency Services to local governments on how to prepare vulnerability assessments was not available until July 2020. Most recently, SB 99 (2019) was passed, imposing requirements related to evacuations and wildfires, including a requirement to identify areas that do not have at least two emergency evacuation routes. While some organizations have recently completed a safety element, additional work is necessary for most agencies to be in full compliance with the subjects of climate change adaptation and evacuation planning. These updates are required in the Town's Element.

It is more cost effective for the Town to participate at the regional level to update the Safety Element and take advantage of the economy of scale to do so. In late 2021, a number of agencies in San Mateo County expressed interest in collaborating on an update of their respective safety elements, the Town included. The cities, towns and County in San Mateo have a strong history of collaboration and resource sharing on housing related initiatives through the 21 Elements Project. In addition, all 21 jurisdictions in the county collaborated on a Multijurisdictional Local Hazard Mitigation Plan (MJLHMP) which was completed in December 2021 providing baseline information for the safety element updates.

On September 6, 2022, the San Mateo County Planning and Building Department released a Request for Proposals (RFP) for the Multijurisdictional Safety Element Project. The Department received two proposals in response to the RFP. The evaluation and selection committee determined the proposal submitted by PlaceWorks to be the most suitable based on the overall criteria of project understanding, qualifications of the consulting team, relative project experience, project approach and methodology, and proposed cost. PlaceWorks has extensive experience with creating General Plan, Safety Elements, and local hazard mitigation plans throughout California. Recently, PlaceWorks completed safety elements, vulnerability assessments, and/or climate adaptation plans for Santa Barbara County (2022) and the following other Bay Area communities: City of San Mateo, Contra Costa County, Solano County, Orinda, Lafayette, Benicia, Dixon, Rio Vista, Suisun City, Vacaville, Vallejo, Santa Rosa, and Windsor. PlaceWorks also has experience supporting a multijurisdictional safety element process in Solano County.

ANALYSIS

The scope of work for this project includes thoughtful approaches to community engagement and equity. PlaceWorks has partnered with Climate Resilient Communities, a local nonprofit, to help lead engagement and outreach to community groups and hard to reach community members, and to provide equity reviews of work products. Climate Resilient Communities is a community-based organization dedicated to serving the underrepresented through empowering community voices to implement climate solutions that bring about unity and resilience.

Community Planning Collaborative (formerly Baird + Driskell Community Planning) has acted as the project manager for the Safety Element Collaborative Project through the Collaborative's initial formation and the RFP process, ensuring that the voice of each participating agency is heard, and their needs addressed. To date, Community Planning Collaborative acted as project manager through their role as lead consultant for the 21 Elements Project. 21 Elements was originally created to assist San Mateo County jurisdictions (20 cities and the county) with required Housing Element updates and has now expanded to assist with other General Plan element

updates. The Community Development Director executed an agreement with Community Planning Collaborative to continue to serve as Project Manager for the length of the Safety Element Collaborative Project, for a term of May 1, 2023 through May 1, 2026 and in an amount not to exceed \$92,400 (See Attachment 2C). Each participating agency is responsible for funding their portion of the agreement with Community Planning Collaborative. The Town's portion of Community Planning Collaborative agreement is \$8,778.

Each participating agency will enter into a Memorandum of Understanding (MOU) with San Mateo County to participate in the Safety Element Collaborative. The MOUs outline the services to be performed by the consultants and set forth the participating agency's contribution toward the costs of the consultant services. All participating jurisdictions will have a staff member representing their agency on a Collaborative Steering Committee. This committee will oversee the progress of the project and will provide input on the project direction/issues.

The San Mateo County Planning and Building Department will serve as the fiscal agent for the Safety Element Collaborative. As fiscal agent, San Mateo County will enter into agreements with the designated consultants and will pay consultant invoices using deposits from all participating agencies.

Additional partners in the Safety Element Collaborative Project include the San Mateo County Office of Sustainability and San Mateo County Department of Emergency Management. A key stakeholder for this collaborative is OneShoreline, the San Mateo County Flood and Sea Level Rise Resiliency District. OneShoreline will be a valuable resource for collaboration/clarification/input on several aspects of this project.

The overall purpose of this project is to address these safety element legal requirements and to share analysis and resources for greater efficiency for the jurisdictions participating in this collaborative effort. This project will update the safety elements of the County of San Mateo and six participating San Mateo County municipalities (Atherton, Belmont, Burlingame, East Palo Alto, Half Moon Bay, and San Bruno) to comply with latest requirements for safety elements, as described above and codified at Government Code 65302. The cities of Brisbane and Pacifica are also participating in a few tasks, like the vulnerability analysis, but are not requesting a complete safety element update at this time.

POLICY FOCUS

A safety element is a required component of a county or city's general plan, and recent changes to State law require local jurisdictions to update their safety elements. Specifically, the main components of a safety element update include:

1. Updated background information and mapping on hazardous conditions and evacuation concerns;
2. A vulnerability assessment that considers how climate change may affect natural hazards in the community, and the effects on populations and assets;
3. Amendments to goals, policies, objectives, and implementation measures, especially as they relate to climate change resiliency; and

4. Alignment of programs from other County planning documents and State resources.

FISCAL IMPACT

The term of the PlaceWorks, Inc. agreement is May 1, 2023, through May 1, 2026. The amount of the agreement is not to exceed \$1,224,016 for the three-year term. Each participating agency is responsible for funding their portion of the project cost. The Town's portion of the PlaceWorks, Inc. agreement is \$96,391.

The term of the Community Planning Collaborative agreement is May 1, 2023 through May 1, 2026 and in an amount not to exceed \$92,400. Each participating agency is responsible for funding their portion of the agreement with Community Planning Collaborative. The Town's portion of Community Planning Collaborative agreement is \$ 8,778.

Below is a chart illustrating the City's/Town's portion of the costs as outlined above.

ATHERTON – TOTAL COST	
SAFETY ELEMENT CONSULTANT	
Placeworks Team	
Base Contract	\$91,801
Additional scope items (public meetings/technical support)	\$0
CEQA Contingency	\$0
General Contingency	\$4,590
<i>Subtotal</i>	\$96,391
PROJECT MANAGER	
Community Planning Collaborative – 21 Elements	
<i>Subtotal</i>	\$8,778
TOTAL COST	\$105,169

There are three payment options for the Safety Element. Staff recommends that the City Council consider payment Option #3.

Agency	Total Cost	FY 22/23	FY 23/24	FY 24/25
Atherton	\$105,169			
<i>Option #1</i>		\$105,169		
<i>Option #2</i>		\$52,584	\$52,584	
<i>Option #3</i>		\$21,034	\$63,101	\$21,034

GOAL ALIGNMENT

Goal A- Maintain Fiscal Responsibility

PUBLIC NOTICE

Public notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting in print and electronically. Information about the project is also disseminated via the Town's electronic News Flash and Atherton Online. There are approximately 1,200 subscribers to the Town's electronic News Flash publications. Subscribers include residents as well as stakeholders – to include, but be not limited to, media outlets, school districts, Menlo Park Fire District, service providers (water, power, and sewer), and regional elected officials.

ATTACHMENT

Attachment 1 - Resolution

Attachment 2 - MOU

Exhibit A – Project Contributions by Agency

Exhibit B – PlaceWorks - Scope of Work and Fee Proposals

Exhibit C – Community Planning Collaborative – Scope of Work and Fee Proposal