

**Marin County Flood Control and Water Conservation District**

**DRAFT MINUTES OF THE  
FLOOD CONTROL ZONE 7 ADVISORY BOARD MEETING  
HELD WEDNESDAY, AUGUST 21, 2019**

**HELD AT THE MARIN CENTER  
FRIENDS OF MARIN CENTER CONFERENCE ROOM  
10 AVENUE OF THE FLAGS, SAN RAFAEL**

**Advisory Board (AB)**

**Members Present**

Russ Greenfield (RG)  
Jacqueline Garcia (JG)  
Roger Kirk (RK)  
Jeffrey Krupnick (JK)

**District Staff (Staff) Present**

Hannah Lee, Senior Civil Engineer  
Gerhard Epke, Senior Program Coordinator  
Liz Lewis, Water Resources Manager

**Advisory Board (AB)**

**Members Absent**

Alex Kahl (AK)

JG opened the meeting at 6:30

**Item 1. Approval of Meeting Minutes: May 29, 2019**

**Action by Board:** Approve minutes as written with included mention of the verbal staff report given by Marin County Chief Real Property Agent Eric Lueder regarding easement acquisitions.

***M/S: RK/RG Ayes: FOUR, Nay: NONE***

**Item 2. Open Time for Items Not on the Agenda**

RG read a personal statement.

A member of the public reported hearing noise at the airport early beginning early in the morning for several months now and is concerned about possible work by the airport on a levee road.

A member of the public inquired whether the advisory board had seen the CEQA comments from the Gallinas Levee Upgrade Project draft initial study. They had not, as responses are still being prepared.

**Item 3. Gallinas Levee Upgrade Project Tax Revenue Measure**

Staff presented a report on project status and tax revenue measure.

RK gave summary of a neighborhood meeting he attended at a creekside residence on Vendola. He read a list of concerns and questions from other attendees. Members of the audience added that the County is good about cleaning road drainage systems but

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that it isn't enough to prevent localized drainage issues with high intensity rain and differential settlement of the community.

Creekside resident Robert Dobrin gave the attached presentation.

A member of the public suggested the highest tide he had seen was 16 inches below the top of the timber-reinforced berm and asked about sheet pile walls as an alternative with potential to be raised over time. Staff responded that sheetpile walls are stronger if they are not segmented vertically so it doesn't work well to slowly add height over time. Sheetpile alternatives were evaluated as part of the Levee Evaluation in 2013 and were determined to be cost prohibitive. However, new materials and reduced need for earthwork may bring the cost down so a comparison of sheetpile wall to a TRB upgrade will be part of a design basis study to be completed this fall. Feasibility of safe pile driving given soft underlying soils and nearby structures will also be considered.

A member of the public wondered what a scaled back version of the project would look like if the FEMA grant was denied and inquired about how many properties have had their TRB repaired since maintenance funding was allocated. Approximately half of the properties with TRBs on them have been at least partially rebuilt. A scaled back project could be an increased rate of maintenance of the existing TRB configuration, or a reduced (only high priority areas based on height or condition) or longer-term phased implementation of the upgraded TRB. The details would be determined by the advisory board, but in general would have impacts less than what was described in the CEQA initial study.

A member of the public was interested in the lifespan of the reconstructed TRB and observes the existing TRB to be in bad shape and expressed support for the project to continue. Staff indicated the FEMA grant is intended to fund a reconstructed TRB with a lifespan of at least 30 years, and that the current TRB wood panels are only expected to endure 10-20 years.

A member of the public would like the easement process to be described in writing and codified. Staff will post this information on the project website.

A member of the public is concerned that the project is a 'done deal' and is proceeding before the demonstration project. Staff explained that the demonstration project would have been constructed with funding from a state grant that the District applied for and had not received a decision on. The project is still in the very early stages (planning stage) and has not yet been designed beyond a conceptual drawing and description needed to complete CEQA and apply for a FEMA grant. If the election is successful, staff will work on preparing the project design and will seek feedback from landowners and community members before finalization. In the interim, prior to the election, a design basis study will be carried out and shared.

A member of the public appreciates the necessity of the project, suggested including language in the resolution where answers to many of the questions that came up tonight are known, wondered about replacement of docks and appurtenant structures, and

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would like local drainage improvements. Staff said the zone has the authority to share the cost for storm drain improvements with Public Works as incentive for the County to make improvements but that available zone funding is limited and needed for facilities with broader impact such as the levee and pump stations.

A member of the public asked why Marin County purchased Buck's Landing and whether there is an opportunity to install a tide gate across the creek. James Raives from Parks & Open Space offered to follow up regarding the Buck's Landing questions. District staff said due to the very special habitat value of the area, a tide gate and its associated barrier tying into high ground would not be cost-effective.

AB discussion:

RG suggested delay on motion until additional answers are provided.

JK suggested the project needed more money for contingencies or cost overruns.

RK agreed that low income senior homeowners would benefit through property value and suggested tax collection contingent on home sales. Asked if this was possible to include in resolution. Easement negotiations should clear up what will happen with structures and landscaping. County match commitment needs to be firmed up.

JG expressed concern that that the board of supervisors will lose confidence in the community if it fails again to pass ballot measure.

**Action by Board:** Tentatively recommend the tax measure subject to updates to the resolution.

***M/S: RK/JG Ayes: FOUR, Nay: NONE***

### **Item 4. Schedule Next Meeting**

Next AB meeting will be scheduled for mid-September, avoiding Wednesdays.

Robert Dobrin, 8/21/2019  
Public Comment

# Gallinas Creek Levee Upgrade Project

Comments for Flood Zone 7 Advisory Board

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*Robert Dobrin August 21, 2019*

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- \* Does nothing to address source of annual localized flooding in Santa Venetia.
  - \* Intended to address Climate Change Peril.

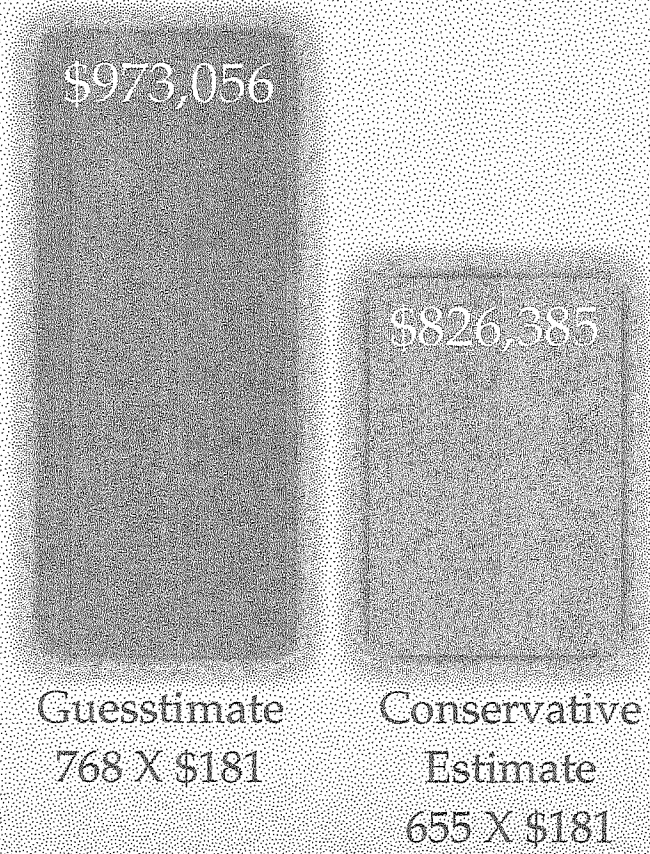
# No money for contingencies

Project Component Concept	Est. Cost	Actions and Benefits
Timber-Reinforced Berm (TRB) Improvement	\$6 M	Construct new TRB. The facility will be designed for a higher level of flood protection and will be made of materials requiring less maintenance. Includes preliminary estimates for right-of-way acquisition, habitat elements, and levee crest.
Pump Station No. 2 Outfall Reinforcement	\$250k	Trenchless rehabilitation of outfall pipeline that discharges from pump station No. 2 into the bayou. The project is designed to significantly reduce the risk of levee failure by...
Pump Station No. 5 Gravity Bypass Safe Abandonment	\$50k	Replace existing 48-inch diameter metal pipe under levee with 48-inch diameter reinforced concrete pipe. The project is designed to reduce the risk of levee failure by sink...
<b>Total</b>	<b>\$6.3 M</b>	
Parcel Tax		Over the next 7 years
Grant Target		Coastal Conservancy
County		likely contingent on parcel tax.
Existing ad valorem zone / revenue in fund balance and expected	\$1.35 M	Over the next 7 years. \$360,000 available in fund with \$142,000 additionally expected per year (reserving funds for estimated basic O&M needs).
<b>Total:</b>	<b>\$6.3 M</b>	

\* La Pasada Intercept Project 2013-2014

**39% over budget**





7 Year Income  
at \$181 per HH



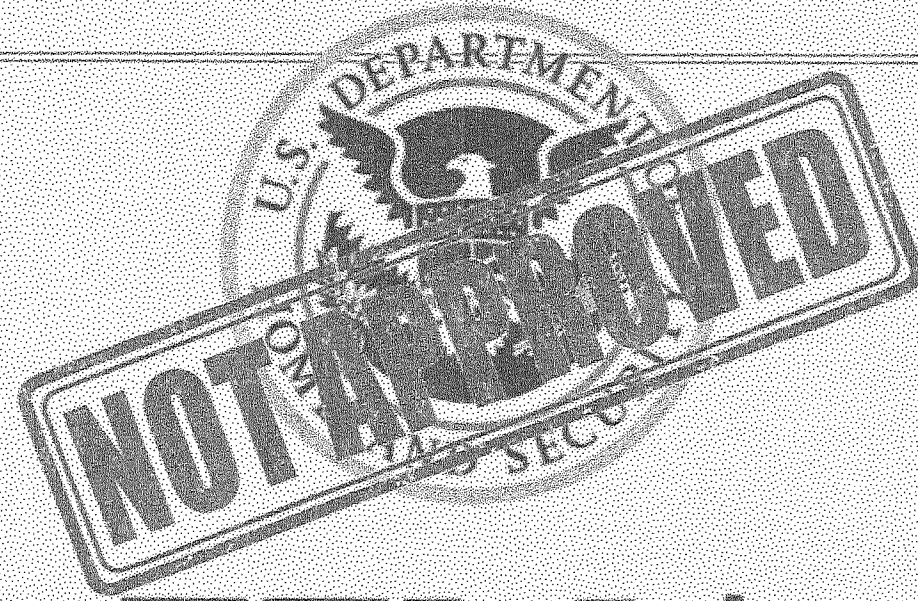
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- \* Senior Exemptions offered for two person households with income less than \$93,950. Three person \$105,700, One \$82,200
  - \* Staff Guesstimates 50 exemptions



- \* 94903 Median HH Income: \$99,701
  - \* Half are under this number
  - \* 32% in Marin are over age 65

**20% (163) or more of Zone Households may take exemption**

Robert Dobrin, 8/21/2019  
Public Comment



FEMIA

## What is the scaled back version?

WHEREAS, the Board of Supervisors of the Marin County Flood Control and Water Conservation District conducted a public hearing on this matter on November 5, 2019; and

NOW, THEREFORE, BE IT RESOLVED that, subject to voter approval, the Marin County Tax Collector shall collect the special tax annually in the same manner and subject to the same penalties as County property taxes are collected. The County shall be entitled to deduct its reasonable costs incurred collecting the special tax before such tax is remitted to the Marin County Flood Control and Water Conservation District, Zone 7 Fund.

BE IT FURTHER RESOLVED that the special tax established by this Resolution shall be submitted to the registered voters within Zone 7 in the Statewide Presidential Primary Election on March 3, 2020. The question submitted to the voters shall read substantially as follows:

**Marin County Flood Control and Water Conservation District  
Flood Control Zone No. 7 (Santa Venetia) Special Tax**

Flood Zone 7 Gallinas Levee Upgrade Project. Shall Santa Venetia Flood Control Zone 7 obtain easements and upgrade the levee and timber reinforced berm protecting the neighborhood from tides by levying a tax of \$1.81 per developed parcel over seven years with low income senior exemptions, generating \$143,000 annually for the Gallinas Levee Upgrade Project?	YES
	NO

BE IT FURTHER RESOLVED that the special tax is for the specific purposes of providing risk reduction from tidal flooding for Zone 7 by upgrading the Gallinas levee system and obtaining property rights as required for the proposed project as described in the initial study authorized by the Department of Public Works Director on behalf of the Marin County Flood Control & Water Conservation District on 09/18.

BE IT FURTHER RESOLVED that to the extent possible the Zone 7 will leverage local, State and Federal grants and funding.

BE IT FURTHER RESOLVED that the proceeds for the special tax be applied only to the specific purposes stated above.

BE IT FURTHER RESOLVED that if the tax measure passes but FEMA Hazard Mitigation Grant is denied, the Flood Control Zone 7 Advisory Board would recommend a request for the County contribution of \$540,000 and would recommend continuing with a scaled-back version of the project within the scope authorized by the DATE Initial Study.

BE IT FURTHER RESOLVED that should the electorate approve the special tax, the proceeds shall be placed in a special fund to be used solely for the purposes stated above.

BE IT FURTHER RESOLVED that should the electorate approve the special tax, the Zone 7 could issue bonds consistent with Water Code Section 68.5.

BE IT FURTHER RESOLVED that the Marin County Auditor as chief fiscal officer, and acting as an ex-officio officer of the Flood District pursuant to Water Code Section 68-7, is hereby

# Easements and Improvements

- \* How do we make an informed decision about our backyards without the actual language of the easement?
  - \* Staff plans to start after if/when initiative passes.
  - \* Landscaping
  - \* Conforming and non-conforming improvements?
    - \* Who pays for reconstruction?
  - \* Access: who, what, when?
  - \* Maintenance: What can and can't be done?
  - \* County Counsel will represent Flood Zone interests.
  - \* Who will represent homeowners in negotiations ?

## My Conclusions

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- \* We need a plan that addresses localized flooding
- \* Tell us about the fallback project if grant is denied
- \* Plan for cost overruns
- \* Rationalize exemptions
- \* Define easements before asking me to vote yes

A bit about myself -

I have lived in SV since 1971 -

Worked at Ross Valley SD 34 years - maintenance supervisor -  
Inspector - worked with contractors - and met with people re:  
concerns - good at resolving issues

Understand the simple concept that water drains downhill

Do not allow ego to get in the way of judgement

Respect for other people's views -

Was asked by people - Mary Feller - Frances Nunez to get involved  
with flood control issues

Found out there was a history of non-trust -between community and  
County

I enjoy being a volunteer - want to see Santa Venetia flourish

Core values are honesty, cooperation,

My beliefs are -

Flooding impacts everyone in Santa Venetia -

So long as we have one place suffering chronic flooding - the impact of  
it will be shared by everyone - depressed home prices etc.

Flood zones exist because people doing independent improvements by  
themselves does not help the community. By grouping together - flood  
problems can be resolved.

Flood protection is both preventing water from the outside getting in  
AND removing storm runoff - either one can cause flooding - Storm  
drains should be included in FZ-7 but they are not. Santa Venetia has

specific locations where storm runoff is creating "flooding" due to ineffective drainage. Could be pipe in need of replacement or repair - or drains without grade. In order to resolve - These areas need further study - it could mean that the system might need a new lift or pump station - it is just not as simple as putting in a new drain - lack of grade where no grade can be had could be the problem.

I like the policy FZ-6 put together sharing the cost with the City of SR. The argument I heard against such a plan - was FZ-7 would then have responsibility to maintain any repair / replacement or new infrastructures added / improved. While this sounds valid, it should not prevent consideration. Until we prevent chronic flooding from occurring - FZ-7 still has work to do - We all suffer together from the impact of chronic flooding.

Tax Measure - My hope is Santa Venetia can reach the 100 year storm level of protection. Other communities have done it - the community would benefit greatly. While I would want to see that as a FZ-7 goal - it may take us some time to get there. I am a fiscal conservative. I only want to spend money on practical and necessary infrastructure.

Obtaining community support is vital. Being able to justify expenditures has to happen. The hope is to hit the "sweet spot" For me it is taking a proactive approach - Do the repairs and replacement - before suffering failures.

We saw Tax measure "D" be rejected soundly - A couple years back a tax measure was pulled due to a projected "lack of support"

There is little doubt that FZ-7 needs to approve a tax measure if we want to continue to see flood protection work. If we don't approve one, it will be everyone doing what they can to protect their home - some

will be successful - others won't be - but the impact will affect everyone.

So if the previous tax measure was soundly defeated - and the draft one was scuttled for fear of failure - what has been done to improve the situation?

First - the MOU between the County and the San Rafael airport was agreed to. I had heard from several folks that they would not vote to approve a tax measure -so long as the County paid for maintenance on airport levies - yet would not contribute anything to levies protecting SV. This is good news for Santa Venetia in my opinion.

Next, the plan to establish an easement for the Vendola levy was created. While I have no idea why an easement was never established - it is hard to imagine how any maintenance / improvement could be even considered without one. Finally, an easement will be established. More good news.

Next, the plan itself is appearing to be practical - simple yet strong - I believe expandable - \* As sea level rise goes up - we won't need to tear it down and start over - another level can be added on. - This is effective -

Next, The County has never contributed funding to FZ-7 - all I have ever heard is - the zone can have whatever it likes - we just have to pay for it all. - The County is now offering to match zone resident's contributions - This is really great news.

Next, Prioritizing needs is very important - County staff has done an excellent job prioritizing needs with the small amount of funds available over the last several years - no major problems - Being able to prioritize things has been key. The people in the community also need to prioritize our needs - how important is flood control for us? - Can



we get by without it - My belief is no, we cannot. Flood control has to be a priority for everyone who lives here. Some of the residents along the Vendola have expressed concerns regarding what the levee will look like or that it will limit views. While these are valid concerns and need to be worked out - we must not lose sight of the fact that the levy is a high priority.

Next, once we have an easement and the levee improvement gets underway - it is not a one size fits all scheme. The plans calls to work with each property owner on how to restore the property. Different materials - slopes - to suit each property depending on conditions and needs will be done. I was very pleased to hear this - I would think the residents on Vendola should be as well.

And last - should the tax measure pass - there is a good chance that FEMA could then contribute funding. I am a strong believer in requesting grant funding - our zone staff has been sending in the forms and making headway.

To sum up. When I first started working with County staff - many people in SV did not trust County staff. OK - I get that - but that is an old story - Today I see County staff people working hard for our benefit - I believe that they really care about seeing us turn the corner if you will. The tax measure is needed. The tax measure is practical. The tax measure is a great opportunity for our community to use as a tool to become an even more great place to live.