

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

**MINUTES OF THE  
FLOOD CONTROL ZONE 4 ADVISORY BOARD MEETING  
HELD THURSDAY AUGUST 11, 2016  
AT WESTMINSTER PRESBYTERIAN CHURCH, FINDLAY HALL  
TIBURON, CA 94920**

<b><u>Advisory Board (AB) Members Present</u></b>	<b><u>District Staff (Staff) Present</u></b>
John Leszczynski (JL)	Tony Williams, Principal Civil Engineer
Dianne Newman (DN)	Hannah Lee, Associate Engineer
Kathryn Oliver (KO) – Vice Chairperson	Scott McMorrow, Assistant Engineer
Robert “Bob” Rogers (RR) - Chairperson	
	<b><u>Others</u></b>
<b><u>Advisory Board (AB) Members Absent</u></b>	Leslie Alden, Aide to Supervisor Sears
Timothy Barteau (TB)	

Meeting came to order at 6:32 PM.

**Item 1. Brown Act and Advisory Board Review**

Staff presented the Marin County Boards and Commissions Training Video. Information presented in the video included roles and responsibilities for members of Marin County Boards and Commissions including information on the Brown Act, the Public Records Act, Conflict of Interest rules and Marin's Code of Ethics. RR asked for clarification on the 72-hour notice requirement for meeting notices. Staff responded that this was a requirement for the posting of the agenda in a public place accessible 24 hours per day.

**Item 2. Approval of Meeting Minutes: May 12, 2016**

Chairperson Rogers suggested adding the following language to Item 4 – Report on History of Arrangement to Station a Staff Person in Southern Marin During Storm Events: *A member of the public, Jim Fitzgerald, requested the District provide staffing for the Cove Pump Station during winter rain events, as had been done in the past. Another member of the public, Carolyn Shadan, stated that identifying the cause of the 2014 flooding was needed.*

**Action by Board:** Approve minutes as amended above.

**M/S:** JL/KO, **Ayes:** All, **Nay:** None, **Abstain:** None

**Item 3. Open Time for Items Not on the Agenda**

A member of public, Carolyn Shadan, stated that she was disappointed that the Advisory Board did not recommend proceeding with the continued study of East Creek at the last meeting and asserted that sea level rise should be a considered in taking actions at Cove Pump Station. AB member KO asked if AB members were named in the Cove Pump Station lawsuit and if it was appropriate for the Zone to be responsible for costs related to the lawsuit. Staff responded that the advisory board was not named in the lawsuit and that information regarding lawsuit costs would be included in Item 4.

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### **Item 4. Update on Zone Expenditures**

Staff presented, in the staff report, FY 2015-16 total labor expenses, which included labor costs for responding to the Cove Pump Station lawsuit. Staff explained that the legal case's costs were borne by Zone 4. The costs billed to the Zone consisted of a lump sum payment of \$225,000 to the Plaintiffs to settle the lawsuit and an unspecified amount in staff labor. The settlement payment was not disclosed to the AB prior to its listing as a line item in budget materials provided at the meeting. JL expressed that he felt this was an inappropriate use of Zone 4 funds. KO noted that no one from the Zone 4 AB had been involved in the decision to expend zone funds on legal costs. RR noted that the role of the Zone 4 AB is to provide advice to the Marin County Flood Control and Water Conservation District Board of Supervisors, which is ultimately the decision making board. KO requested that staff research and find the set of litigation documents related to the case, as these are public documents, including expert reports from both sides. Further, KO recommended that an Ad Hoc committee be formed and that this committee meet with County Counsel and review the issues involved in the settlement payment and charging of staff time spent on litigation to Zone 4. Leslie Alden offered to help pull information related to the litigation together.

**Action by Board:** Request staff to provide the set of litigation documents to AB, and form an Ad Hoc committee, consisting of KO and JL, to meet with County Counsel.

**M/S:** KO/JL, **Ayes:** All, **Nay:** None, **Abstain:** None

### **Item 5. Update on FEMA Hazard Mitigation Funding Opportunity: Marin County Structure Elevation Program**

Please refer to the August 11, 2016 staff report for details on what was presented. Staff also announced that the initial application reviewer, Cal OES, had positive feedback about the application and asked that it be used as an example for other agencies. Cal OES also encouraged staff to speak on a panel about it at the upcoming Floodplain Management Association conference.

### **Item 6. Near-term Cove Pump Station Upgrades**

Staff made a recommendation in the change of scope for near-term upgrades (before the coming rainy season) that differed from the scope presented in the written staff report. The original scope of work was to 1) replace two pipes that were identified for replacement in the recently finalized the Cove Stormwater Pump Station and Collection System Hydrology and Hydraulic Study (Study), 2) make minor repairs to the Cove Pump Station trash rack as recommended in the Study, and 3) add mechanical on/off float valves to the pumps as recommended in the Study.

One of the pipes identified in the Study, PIPE\_390, is a 36" diameter corrugated metal pipe (CMP), and the Study recommended an expeditious replacement of this pipe due to its deteriorated condition. The Study also recommended an upgrade of PIPE\_390 to a 48" diameter reinforced concrete pipe (RCP). Adjacent to PIPE\_390 is an 18" diameter CMP (PIPE\_389) that the Study recommended be replaced, yet an expeditious replacement was not needed for PIPE\_389. The original scope of work was to replace both of these pipes as recommended by the Study, and at the same time in order to save on construction costs.

The upstream connection for PIPE\_390 is a connection to a subsurface concrete junction box. The downstream connection of PIPE\_390 is a connection to a subsurface concrete wetwell that feeds storm water into the Cove Pump Station. As staff began to design the new 48" RCP placement, it became evident that the larger 48" pipe would require significant modifications to

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both the junction box and wetwell wall. Based in these significant modification needs, staff updated their recommendation for near-term improvements.

Staff recommended a near-term project that would utilize trenchless technology to repair the 36" pipe. This solution would meet the need for a timely repair to the 36" pipe. Repairing this pipe in this manner was recommended because the additional Cove PS upgrades that will be considered under Item 7 also include modifying the wetwell. Using trenchless technology for the near-term repair will eliminate the need to modify the wetwell at this time, and will save the cost of performing two wetwell modifications (one near term and one at a later date when the Cove PS is upgraded). Staff also reported that near-term improvements would still include repairing the existing trash rack and installing on/off mechanical float valves, as stated in the written staff report. The estimated cost for the revised scope of work is \$38,000 versus the original project cost of \$120,000.

**Action by Board:** Recommend to the District BOS that staff proceed with the revised scope of work for near-term upgrades to Cove Pump Station

**M/S:** BR/DN, **Ayes:** All, **Nay:** None, **Abstain:** None

Members of the public inquired about other potential short-term measures such as the feasibility of installing float valves on the portable pump, and increasing the frequency of sweeping leaves in the street by the Town of Tiburon. Staff will follow up at the next meeting regarding these ideas.

### **Item 7. Additional Upgrades to Cove Pump Station**

Staff reported that the Cove Stormwater Pump Station and Collection System Hydrology and Hydraulic Study (Study) was complete. After reviewing the three pump-station upgrades presented in the staff report, staff recommended to the AB the upgrade described on page 6-6 of the Study: Table 6-9: Pump Station Long Term Up Grades, 100-year Inflow, 25-Year Pipe Projects, and Modified Wetwell, and staff recommended replacing the 36" diameter PIPE\_390 with a 48" diameter reinforced concrete pipe (RCP) and replacing PIPE\_389 with an 18" RCP. Both of these pipe replacements were recommended in the Study. This pump station upgrade includes increased pumping capacity, an onsite fuel supply, automatic transfer switch, and back-up generator to run the pump station. Current projected cost is \$2.4M, including contingency costs. Staff reviewed the Zone 4 revenues, and concluded that this upgrade can be funded with current revenues and reserves. Design and environmental review would occur in FY 2016-17, possibly extending into the following fiscal year, with construction occurring subsequently.

**Action by Board:** Recommend to the District BOS that staff proceed with the proposed long-term upgrades to Cove Pump Station (Pump Station Long Term Up Grades, 100-year Inflow, 25-Year Pipe Projects, and Modified Wetwell).

**M/S:** BR/KO, **Ayes:** All, **Nay:** None, **Abstain:** None

The AB then took up the matter of a hydrology and hydraulic (H&H) analysis of East Creek. After some discussion, a motion was made to recommend that staff proceed with an H&H analysis of East Creek.

**Action by Board:** Recommend that staff proceed with a hydrologic and hydraulic analysis of East Creek.

**M/S:** BR/JL, **Ayes:** All, **Nay:** None, **Abstain:** None

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**Item 8. Schedule Next Meeting**

The AB agreed that they would like to meet in October 2016. The AB adjourned the meeting at 9:40 PM.