

Raul M. Rojas
DIRECTOR

OR October 20, 2020

APPROVED
OCT 20 2020
Marin County
Flood Control & Water Conservation District
Board of Supervisors

Administration
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Board of Supervisors
Marin County Flood Control and Water Conservation District
3501 Civic Center Drive
San Rafael, CA 94903

SUBJECT: Resolution of the Marin County Flood Control and Water Conservation District Declaring its Intention to Conditionally Establish Subzone 7A which would Include Parcels within Zone 7 Below 11 feet NAVD88 in Elevation

Accounting

Dear Board Members:

Airport

RECOMMENDATIONS: It is recommended that your Board adopt the resolution and schedule the hearing for November 17, 2020, at 11am.

Building Maintenance

Capital Projects

SUMMARY: This conditional establishment of a Subzone 7A, completely within the boundaries of the existing Zone 7, is being proposed in order to leverage \$3 million in FEMA grant funds to reduce tidal flood risk for parcels below 11 feet NAVD88 in elevation. The establishment of Zone 7A was reviewed and conditionally recommended at the September 17, 2020, meeting of the Flood Zone No. 7 Advisory Board. The establishment of Zone 7A is conditional upon the special tax measure being approved by the voters within the new boundary next year for the upgrade of the Gallinas Creek Levee in Santa Venetia.

Certified Unified Program Agency (CUPA)

Communications Maintenance

Section 11 of Water Code Appendix No. 68, which governs the Marin County Flood Control and Water Conservation District, provides that the Board shall hear and consider all written and oral objections to the proposed amendment at the hearing. Further if the holders of title of real property affected by the proposed new subzone and associated special tax, representing one-half or more of the assessed valuation file written protests, the proposed establishment of Zone 7A and associated special tax election must be suspended for not less than six months.

County Garage

Disability Access

Engineering & Survey

Flood Control & Water Resources

FISCAL IMPACT: There are no other impacts to the General Fund. The levee upgrade project proposed for Subzone 7A is preliminarily estimated to cost \$6 million, with up to \$3 million to come from FEMA, about \$1.16 million from existing Zone 7 ad valorem taxes, \$1 million in revenue from the proposed special tax measure, and \$840,000 from the General Fund which was set aside by the County Board on October 16, 2018, for this project if the special tax passes.

Land Development

Purchasing

Real Estate

Reprographic Services

Road Maintenance

Stormwater Program


Transportation & Traffic Operations

Waste Management

Board of Supervisors
Marin County Flood Control and Water Conservation District
October 20, 2020
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REVIEWED BY: Department of Finance N/A
 County Counsel N/A
 Human Resources N/A
 County Administrator N/A

Respectfully submitted,



Hannah F. Lee
Senior Civil Engineer

Attachment: Resolution



p:\bos\2020\packets\102020 7a special tax roi\102020 ltr intent 7a.docx

RESOLUTION NO. 2020-116
RESOLUTION OF THE MARIN COUNTY FLOOD CONTROL AND WATER CONSERVATION
DISTRICT BOARD OF SUPERVISORS DECLARING ITS INTENTION TO CONDITIONALLY
ESTABLISH FLOOD SUBZONE NO. 7A (SANTA VENETIA) FOR THE PURPOSE OF
UPGRADING THE LEVEES ALONG GALLINAS

WHEREAS, the powers of the Marin County Flood Control and Water Conservation District set forth in State of California Water Code – Appendix Section 68 *et seq.* include the powers of amending zone boundaries and establishing subzones; and

WHEREAS, the conditional establishment of Subzone 7A within the boundaries of Flood Zone No. 7 (Santa Venetia) as hereinafter set forth has been approved and recommended by the Flood Zone No. 7 Advisory Board at their September 17, 2020 meeting; and

WHEREAS, the boundary modification and establishment of Subzone 7A are conditioned upon the voters residing within Subzone 7A passing a special tax in the amount of \$297 per parcel per year for seven years; and

WHEREAS, the conditional establishment of the subzone is necessary in carrying out the purposes of the Marin County flood Control and Water Conservation District Act.

WHEREAS, tidal flood risk in Santa Venetia is reduced through two miles of earthen levee, and Timber Reinforced Berm over about a mile of it, hereinafter referred to as "levee system", much of it located on private property behind homes along Vendola Drive; and

WHEREAS, future flood risks for properties located behind the levee system will likely be exacerbated by sea level rise and land subsidence and the levee system does not currently meet height standards such as the 2017 Base Flood Elevation established by the Federal Emergency Management Agency (FEMA); and

WHEREAS, the District has described an intended levee system upgrade project including acquisition of permanent maintenance easements through an initial study/mitigated negative declaration in accordance with the California Environmental Quality Act (CEQA) guidelines; and

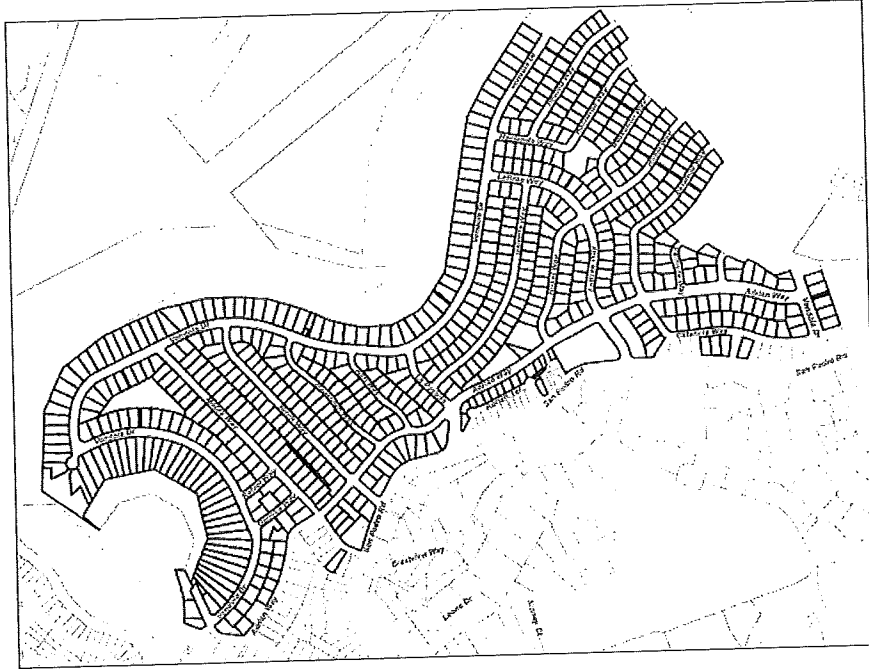
WHEREAS, the preliminarily estimated cost for the levee system upgrade project including acquisition of permanent maintenance easements is \$6 million; and

WHEREAS, the District has been awarded a FEMA Hazard Mitigation Grant Program grant for a federal contribution of approximately \$3 million towards the levee upgrade project which would require the District to guarantee its ability to conduct future maintenance.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the Marin County Flood Control and Water Conservation District intends to conditionally establish Flood Subzone 7A which would include the properties indicated in Exhibit "A," which is attached hereto and incorporated herein.

BE IT FURTHER RESOLVED, that the conditional establishment of Subzone 7A is proposed to be conditioned upon the voters residing within Subzone 7A to pass a special tax in the amount of \$297 per parcel per year.

Exhibit A



**BOARD OF SUPERVISORS
CIVIC CENTER, SUITE 329
SAN RAFAEL, CA 94903**

**FACSIMILE: 415-499-3645
TELEPHONE: 415-499-7331**

DATE: October 20, 2020

NUMBER OF PAGES: 2

TO: Donna Lazarus
Marin Independent Journal
legals@marinij.com.

FAX # 382-7205
Email Transmission #2020-49

FROM: Shelagh Stewart-Chung (473-7334)
Board of Supervisors

Re: Notice of Public Hearing

Dear Donna:

Please publish the enclosed Notice of Public Hearing – to consider approving a resolution conditionally establishing Subzone 7A. The establishment is proposed to be conditioned upon the voters residing within Subzone 7A passing a special tax, on Wednesday, October 28, and Wednesday, November 4, 2020.

Thank you.

NOTE: We would appreciate your returning an Affidavit of Publication to the Board of Supervisors' office for our records. This item should be billed to the Board of Supervisors' office (2071499).

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the Marin County Flood Control and Water Conservation District will hold a public hearing on November 17th, 2020, at 11:00 a.m. or soon thereafter to consider approving a resolution conditionally establishing Subzone 7A. The establishment is proposed to be conditioned upon the voters residing within Subzone 7A passing a special tax. A map indicating the territory proposed to be included within the subzone shall be posted at Adrian Rosal Park on the corner of Adrian Way and Rosal Way, unincorporated San Rafael, at least two weeks prior to the hearing.

NOTICE IS FURTHER GIVEN that said virtual hearing will be held during the regular meeting of the District Board of Supervisors on Tuesday, November 17th, 2020 at 11:00 a.m. or soon thereafter. Any interested person may be heard by submitting either an oral or written presentation at this time. Instructions to join the virtual meeting is provided here:
<https://www.marincounty.org/depts/bs/meeting-archive>

MATTHEW H. HYMEL
Clerk of the Board