

**DRAFT MINUTES OF THE
FLOOD CONTROL ZONE 9 ADVISORY BOARD
SPECIAL MEETING
HELD WEDNESDAY JUNE 14, 4:30 PM – 5:30 PM
ROSS TOWN HALL**

<u>Advisory Board (AB) Members Present</u>	<u>District Staff (Staff) Present</u>
Bruce Ackerman (BA), Chairperson	Tracy Clay, Principal Civil Engineer
Steve Burdo (SB) / Alternate: Tarrell Kullaway	Berenice Davidson, Assistant Director
Peter Hogg (PH)	
Richard Gumbiner (RG)	<u>Advisory Board (AB) Members Absent</u>
Chris Martin (CM)	None
Gabe Paulsen (GP)	

Tarrell Kullaway sat in as San Anselmo’s Representative until Steve Burdo arrived at 4:55pm.

Item 1. Proposed Fiscal Year 2023-24 Baseline Budget

Staff gave a report on the budget (see attachment) and briefly described the San Anselmo Flood Risk Reduction and Corte Madera Creek Flood Risk Management Projects and labor charges. Three members of the public spoke. One member of the public sent the attached letter.

Action by Board: Recommend the District Board of Supervisors adopt the proposed Zone 9 Baseline Budget for FY 2023-24.

M/S: CM/RG Ayes: PH, GP, BA, CM, RG, Nay: None, Abstain: SB

Item 2. Open Time For Items Not On The Agenda

Comments were received from one member of the public at the meeting. Another comment was submitted by email and is attached to these minutes.

The Advisory Board requested that the June 26th regular meeting agenda be modified to remove the budget item and resent to advisory board members and their alternates.



Proposed Fiscal Year 2023-24 Baseline Budget

Description	2023 Baseline	2023 Revised	2024 Proposed	2022 Actual	Notes
Revenue Total	\$2,991,982	\$4,154,699	\$2,991,982	\$9,021,944	taxes, fee, grants, loan, misc.
<i>Maintenance</i>	<i>\$169,500</i>	<i>\$217,060</i>	<i>\$169,500</i>	<i>\$20,142</i>	<i>Creeks and levees</i>
<i>Misc. Expense</i>	<i>\$50,000</i>	<i>\$361,931</i>	<i>\$50,000</i>	<i>\$1,322,049</i>	<i>Funding to cities and towns</i>
<i>Professional Services</i>	<i>\$100,000</i>	<i>\$1,287,586</i>	<i>\$100,000</i>	<i>\$2,060,260</i>	<i>Engineering, real estate, enviro</i>
<i>Construction</i>	<i>\$100,000</i>	<i>\$6,693,767</i>	<i>\$100,000</i>	<i>\$1,997,241</i>	<i>FDS Basin, Access Ramp, Pump Sta</i>
<i>Utilities</i>	<i>\$16,500</i>	<i>\$33,937</i>	<i>\$16,500</i>	<i>\$10,052</i>	<i>Water and PG&E</i>
<i>Land/Easements</i>	<i>\$0</i>	<i>\$116,978</i>	<i>\$0</i>	<i>\$116,978</i>	<i>CMC FRM easements</i>
Services & Supplies Total	\$436,000	\$8,711,941	\$436,000	\$5,409,743	
Staff & Overhead	\$1,453,971	\$1,453,971	\$1,455,569	\$836,076	Salaries, benefits, overhead, loan
Loan Repayment	\$0	\$0	\$2,669,988	\$0	Half of 2-year loan repayment
Expenditures Total		\$10,165,912	\$4,561,567	\$6,245,820	
Fund End Balance		\$4,334,783	\$2,765,208	\$10,345,996	Projected/Actual

Public Comment on Item 1

TO: Flood Control Zone 9 Advisory Board

DATE: June 14, 2023

Comments for Special Zone 9 Advisory Board Meeting: June 14, 2023

What advice has the Marin County Flood Control and Water Conservation District Flood Control Zone 9 Advisory Board (“Advisory Board”) been providing to the Board of Supervisors of the Marin County Flood Control and Water Conservation District (“the District”) regarding funding mitigation for homeowners impacted by the San Anselmo Flood Risk Reduction project?

In the Proposed Fiscal Year 2023-24 Baseline Budget, being discussed today, has funding for mitigation been considered and is it included? What has the Advisory Board recommended to the District?

On June 8, 2023, the District sent a San Anselmo Flood Risk Reduction Project (SAFRR) - Notice of Availability (EIR Addendum) to subscribers. The EIR Addendum raises questions about the veracity of recent public statements made to the Board of Supervisors and the Town Council of San Anselmo and Town Council of Ross. Can the District be trusted to provide the mitigation it has been promising since certification of the SAFRR EIR in 2018?

At the January 24, 2023 Board of Supervisors meeting, Marin County Public Works, Rosemarie Gaglione Director stated that there was funding *“for all the mitigation work that is required.”*

Director Rosemarie Gaglione, DPW: This project is funded. We do have a grant from the Department of Water Resources to do the work of removal, of installing the baffles if that is necessary, and then for all the mitigation work that is required.



In March 2023, Marin County Public Works, Berenice Davidson Assistant Director, (and supervisor to former Marin County Public Works, Liz Lewis, Water Resources Manager) appeared before the Town Council of San Anselmo and Town Council of Ross. Davidson repeatedly stated that the District will provide mitigation to impacted homeowners, promising to personally meet with the impacted homeowners one-on-one within two months. Davidson told the Town of Ross Council: *“And the next step after this conversation with FEMA is to meet with every single property owner.”*

Since then, Davidson has not met with me at my home or any of my similarly impacted homeowners in my immediate neighborhood. We live between Winship Bridge and Sir Francis Drake Bridge - the area most impacted by the San Anselmo Flood Risk Reduction Project.

Despite years of empty promises, the District continues to offer repeated assurances that mitigation measures will be implemented (see slide below); however, the fact remains that nothing is currently being done in my neighborhood.

Mitigation Measures will be implemented for affected parcels in conformance with FEMA, local Floodplain Ordinance and the Environmental Impact Report.



Summary

- Building Bridge 2 is a major creek obstruction and contributes to flooding.
- Building Bridge 2 will be removed summer 2024.
- Removal Project will facilitate construction of San Anselmo's Creekside Park.
- Removal Project will enhance creek channel and improves fish habitat.
- 480 parcels will see a flood risk reduction benefit once it is removed.
- Mitigation measures will be implemented for affected parcels in conformance with FEMA, local Floodplain Ordinance and the Environmental Impact Report.
- Temporary baffle is an option to preserve grant funding.



In June 2023, despite Gaglione and Davidson's promises and reassurances to both Supervisors and Town Councils that the District will provide mitigation, an Addendum to the San Anselmo Flood Risk Reduction EIR was released and it seeks to eliminate the word "fund" from Mitigation Measure 4.9-4 as shown below. (Please TABLE 1-A in the Addendum below).

TABLE A-1 (CONTINUED)
MITIGATION, MONITORING, AND REPORTING PROGRAM

Mitigation Measure
<p>Mitigation Measure 4.9-4: Provide Flood Protection to Substantially Affected Areas</p> <p>For areas upstream and downstream of the Winship Bridge (between Barber Avenue and the Sir Francis Drake Bridge): If the Winship Bridge Replacement Project is not completed prior to construction of the Project, the Flood Control District shall develop, fund, and implement flood barriers on properties where existing habitable structures would experience new inundation in a 25-year event. The flood barriers shall be designed based on hydraulic modeling demonstrating that the flood barriers would protect existing habitable structures on any properties upstream of the Sir Francis Drake Bridge from new inundation during the 25-year event. or to any higher degree of protection required for that particular type of measure by applicable building codes. Flood barriers include but are not limited to the following measures:</p> <ul style="list-style-type: none"> Elevation of structures above the 100-year flood elevations Basement removal and construction of an addition to contain utilities removed from the basement Wet flood proofing of structures, in which, with use of water resistant materials, floodwaters are allowed to enter a structure during a flood event Dry flood proofing of structures Berms or flood walls

Is the District intending to provide mitigation or not? Will the District honor the commitments it has repeatedly and publicly made? Can the District be trusted?

The contradictory actions taken by the District are alarming, and should concern every Advisory Board member and every Town Council member. It certainly has the attention of the residents who will be negatively impacted if the District fails to make good on mitigation measures.

Before the Advisory Board rubber stamps another budget for the District, I hope board members will ensure that the District's budgets include full funding for mitigation measures and implementation.

Respectfully,

John Crane

86 Sir Francis Drake Boulevard, Ross

From: Doug Ryan <dougyryan999@gmail.com>
Sent: Tuesday, June 13, 2023 10:39 AM
To: Inquiry, Flood
Cc: towncouncil@townofross.org; Town Council; Marin IJ - Richard Halstead; Richard Simonitch; John Crane; Jenny Mota; Samantha Hobart
Subject: My comments for the flood control illegally posted advisory board meeting 06.14.23

Please ask County staff why they lied when they presented to both the town councils of san anselmo and ross when they said they would be speaking with affected homeowners within two months. No such discussions have occurred. If any have, please provide documentation.

Please advise which (if any) past or present flood control advisory board members live in any area previously flooded on 12/31/05, including but not limited to shady lane in ross, and if such members have recused themselves from all votes from which they could personally benefit.

Please advise the status of mitigation and specifically identify the homes identified as requiring mitigation.

Please advise why the draft amendment to the EIR only addresses 25 year flooding instead of 100 year flooding, and confirm that illegal adjustment has been approved by FEMA.

Doug Ryan