

Robyn Clifford

From: Robyn Clifford
Sent: Friday, June 10, 2022 1:30 PM
To: Robyn Clifford
Subject: FW: There should be a public vote on if SA should withdraw from the Flood Zone

From: ross asselstine <ross.asselstine@comcast.net>
Sent: Friday, June 10, 2022 12:35 PM
To: Town Council <towncouncil@townofsananselmo.org>
Cc: Carla Kacmar <ckacmar@townofsananselmo.org>
Subject: There should be a public vote on if SA should withdraw from the Flood Zone

CAUTION: External Sender

San Anselmo Town Council,

I read that it is feasible to submit written statements before a Town Council Meeting. I forward this to you now as the back-up may be of interest to you in advance of the meeting. There is new information from my prior comments.

Attached is what I will be reading from at next Tuesday's meeting during the period for items not on the agenda. Yes, I'm aware that the plaza is on the agenda, but my point is not plaza-specific so I think it's best not to mix the two issues together. I have no position on the plaza at this time.

Thanks for your time.

Ross Asselstine

Public Comment at the San Anselmo Town Council Meeting

Ross Asselstine, June 14, 2022 (copy issued June 8)

I spoke here recently about the incredible waste of time, money and carbon emissions that is San Anselmo's participation in Flood Zone 9.

The Flood Zone has burned through over \$34,000,000. That is staggering. About all we've done is bought three properties and dug one hole in the ground. The staff and consulting costs in the past thirteen years totals about \$25,000,000.

We have \$4,200,000 available in collected fees and the flood fees in the coming years will total about \$23,000,000. The question at hand is how much longer are we going to stand on the sidelines and watch the waste?

I believe it is time to start talking about exiting Flood Zone 9. The waste cannot be ignored and the futility of attempting to control floods is now more than apparent.

The Marin County Flood Control and Water Conservation District Act was created by the State in 1953. In 1971 San Anselmo exited the Flood Zone because of the ecological impact of the concrete channel as well as wanting to avoid maintaining downstream creek modifications. In 1971 the town of San Anselmo had an ecology commission, a human rights commission, a budding recycling program, and had passed a resolution against the war in Indochina. The parallels to today are amazing. In 1971 the Town Council voted unanimously to exit Flood Zone 9. "...as presently conceived Zone 9's construction to date and plan does not benefit the taxpayers of the City of San Anselmo" and "... we find that the maintenance of the down-stream portion of the project is of no benefit to the taxpayers of San Anselmo and feel that we must, in protecting their interest, withdraw from the maintenance district" and ".... The loss of the natural stream environment riparian woodland associations are simply a price we are unwilling to pay".

I believe that in a very similar vein in 1971, the flood control project costs to date are not sound ecologically in terms of carbon emissions and like in 1971, the taxpayers in San Anselmo should not bear any responsibility for any flood zone project's maintenance, repair, performance, or lack of performance of items constructed in the 1970's, recently or upcoming. I and many others feel enough is enough.

We can exit the Flood Zone by a simple public vote.

I believe that the public deserves a vote on whether the Town of San Anselmo should withdraw from Marin County Flood Zone 9, per clause: **68-26.1. Withdrawal of territory**, per the Marin County Flood Control and Water Conservations Act of 1953. This language is appended. I believe that this should take place in the near term and well before the expiry of the flood Fee in 2027.

The citizens and taxpayers deserve a voice by a public vote. The Town Council can make this form of democracy real.

Thank you.

Atth.

I append images of a portion of the Council minutes from 1971, the Withdrawal clause as well as the numbers related to the costs to mid-2021

San Anselmo Council Meeting minutes from November 23, 1971

Relevant portions of the minutes below.

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Minutes of regular San Anselmo City Council meeting of November 23, 1971.
All Councilmen present.

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f. QUESTION OF WITHDRAWING FROM JOINT POWERS AGREEMENT FOR MAINTENANCE OF FLOOD CONTROL FACILITIES

M/S Reed, Stewart that the City Council of the City of San Anselmo correspond with the Flood Control District and inform them that as presently conceived Zone 9's construction to date and plan does not benefit the taxpayers of the City of San Anselmo and that we urge that Phase 4 within the town of Ross be placed in an underground by-pass conduit retaining the Corte Madera creek in its natural condition so that a similar by-pass can be constructed through the City of San Anselmo leaving San Anselmo creek and its tributaries in a natural condition. Otherwise we find that the maintenance of the down-stream portion of the project is of no benefit to the taxpayers of San Anselmo and we feel that we must, in protecting their interest, withdraw from the maintenance district." Passed unanimously.

g. REQUEST BY CORPS OF ENGINEERS FOR COMMENTS ON ENVIRONMENTAL STATEMENT FOR CORTE MADERA CREEK FLOOD CONTROL PROJECT

M/S Reed, Perry that the City of San Anselmo finds the Adverse Environmental effects listed under 3b on the introductory page of the Environmental Statement to state our feelings completely and the loss of the natural stream environment-riparian woodland associations are simply a price we are unwilling to pay. Passed unanimously.

Withdrawal Clause

As quoted from the Marin County Flood Control and Water Conservations Act of 1953.

68-26.1. Withdrawal of territory

Notwithstanding any provisions of this act to the contrary, the withdrawal of all the area lying within the exterior boundaries of any chartered or incorporated city from the district may be effected by the vote of a majority of the qualified electors of said city voting at any regular or special election on the proposition to withdraw the area lying within such city from the district. Said election shall in all particulars be held as provided by law for holding a municipal election in said city and the cost thereof shall be a city charge. The city council shall cause the results of the election to be certified to the board of supervisors of the district and if a majority of the votes cast on the proposition to withdraw such area from the district are in favor thereof, thereupon the area lying within the exterior boundaries of such city shall no longer be a part of the district; provided, however, that the withdrawal of the area lying within the exterior boundaries of such city from the district shall not release the area so withdrawn from debts and obligations for or upon which it was liable or chargeable at the time such withdrawal was made; provided further, however, that any portion of a city which prior to its withdrawal from the district was included within the Page 15 boundaries of a flood control zone shall remain subject to taxes for the maintenance of improvements constructed within such zone prior to the withdrawal of the city from the district.

Recent FZ 9 Budget Summary

The numbers from FZ Staff are confusing if not so compartmentalized by fiscal year that one cannot understand “Where the heck are we?” without building your own spreadsheet. I’ve done that to the best of my understanding of their accounting.

Yes, the numbers are very small on the following page, but the numbers tie to those quoted in my public comments of May 24 and June 14.

FZ-9’s numbers are from this link:

<https://www.marinwatersheds.org/sites/default/files/2022-03/Zone%209%20Financial%20Review.pdf>

They presented the colored image on the following page, while I transcribed all of the numbers in that spreadsheet to create a live Excel sheet to conform totals as illustrated in the black and white sheet below that. FZ9 staff have confirmed the overall summary.

County of Marin
Department of Public Works
Flood Control Zone 99

Description	FY09/09	FY09/10	FY10/11	FY11/12	FY12/13	FY13/14	FY14/15	FY15/16	FY16/17	FY17/18	FY18/19	FY19/20	FY20/21
Total Fund Balance	2,586,636.37	4,650,475.75	6,034,654.86	7,213,848	9,010,532	8,515,840	9,904,501	9,930,848	11,190,736	7,614,759	8,395,435	6,788,646	7,145,048
Unrestricted Fund Balance	2,506,383.40	3,920,871.34	5,502,350.08	7,306,564	8,912,252	8,149,821	9,632,156	9,980,312	10,027,917	5,391,908	6,115,440	4,871,444	3,883,165
Taxes & Interest	2,432,528.01	2,428,054.88	2,370,150.57	2,358,078	2,351,650	2,377,385	2,471,192	2,556,556	2,704,854	2,800,314	3,013,229	3,065,460	2,999,310
Intergovernmental Revenue	0.00	0.00	0.00	0	0	0	0	0	1,020	1,049,922	237,631	316,738	2,705,195
Misc Revenue	500.00	500.00	500.00	1,000	1,000	1,000	5,757	1,500	40	7,999	1,499	564	499
Transfers In	0.00	0.00	0.00	0	0	0	0	0	0	891,320	0	0	0
Total Revenue	2,433,028.01	2,428,554.88	2,370,650.57	2,359,078	2,352,650	2,378,385	2,476,949	2,558,056	2,705,913	4,749,556	3,252,359	3,382,763	5,645,004
Salaries & Benefits	162,074.55	74,406.52	255,512.27	428,721	565,045	685,192	1,079,271	895,100	1,416,033	1,600,031	1,263,349	1,147,370	706,928
Services & Supplies	207,114.08	969,969.25	825,945.41	243,673	2,282,297	304,532	1,371,331	403,068	1,065,818	2,285,518	1,878,695	1,691,136	4,602,039
Land	0.00	0.00	0.00	0	0	0	0	0	3,800,000	83,310	1,717,104	164,895	0
Total Expense	369,188.63	1,004,375.77	1,081,457.68	672,394	2,847,341	989,723	2,450,602	1,298,167	6,281,852	3,968,879	4,859,148	3,003,400	5,311,967
Prior Year Encumbrance	580,252.97	770,404.41	532,304.78	17,284	98,280	366,019	272,345	540,536	1,162,819	2,222,851	2,279,995	1,917,042	3,278,883
Current Year Encumbrance	-579,404.41	-532,304.78	-17,284.05	-98,280	-366,019	-272,345	-540,536	-1,162,819	-2,222,851	-2,279,995	-1,917,042	-3,278,883	-3,289,461
Ending Fund Balance	4,650,475.75	6,034,654.86	7,333,847.75	9,010,532	8,515,840	9,904,502	9,930,848	11,190,737	7,614,799	8,395,435	6,788,646	7,145,048	7,501,065
Ending Unrestricted Fund Balance	3,920,871.34	5,502,350.08	7,306,563.70	8,912,252	8,149,821	9,632,157	9,980,312	10,027,918	5,391,947	6,115,480	4,871,444	3,883,165	4,211,624

	FY 08/09	FY 09/10	FY 10/11	FY 11/12	FY 12/13	FY 13/14	FY 14/15	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21	TOTAL to 20/21
Total Fund Balance	2,586,636	4,650,475	6,034,655	7,323,848	9,010,532	8,515,840	9,904,501	9,930,848	11,190,736	7,614,759	8,395,435	6,788,646	7,145,007	
Unrestricted Fund Balance	2,506,383	3,920,071	5,502,350	7,306,564	8,912,252	8,149,821	9,632,156	9,980,312	10,027,917	5,391,908	6,115,440	5,591,604	3,883,124	
Taxes	2,432,528	2,428,055	2,370,150	2,358,078	2,351,650	2,377,385	2,471,192	2,556,556	2,704,854	2,800,314	3,013,229	3,065,460	2,999,310	33,868,761
Intergovernmental									1,020	1,049,922	237,631	316,738	2,705,195	4,310,506
Misc Revenue	500	500	500	1,000	1,000	1,000	5,757	1,500		7,999	1,499	564	499	22,318
Transfers in										891,320				891,320
Total Revenue	2,433,028	2,428,555	2,370,650	2,359,078	2,352,650	2,378,385	2,476,949	2,558,056	2,705,874	4,749,555	3,252,359	3,382,762	5,645,004	39,092,905
Salaries	162,075	74,406	255,512	428,721	565,045	685,192	1,079,271	895,100	1,416,033	1,600,031	1,263,349	1,147,370	709,928	10,282,033
Services and Supplies	207,114	969,969	825,945	243,673	2,282,297	304,532	1,371,331	403,068	1,065,818	2,285,518	1,878,695	1,691,136	4,602,039	18,131,135
Land									3,800,000	83,310	1,717,104	164,895		5,765,329
Total Expenses	369,189	1,044,375	1,081,457	672,394	2,847,342	989,724	2,450,602	1,298,168	6,281,851	3,968,879	4,859,148	3,003,401	5,311,967	34,178,497
Prior Year Encumbrance	80,253	730,404	532,305	17,284	98,280	366,019	272,345	540,536	1,162,819	2,222,851	2,279,995	1,197,042	3,278,883	
Current Year Encumbrance	(730,404)	(532,305)	(17,284)	(98,280)	(366,019)	(272,345)	(540,536)	(1,162,819)	(2,222,851)	(2,279,995)	(1,197,042)	(3,278,883)	(3,289,461)	
Ending Fund Balance	4,650,475	6,034,655	7,333,848	9,010,532	8,515,840	9,904,501	9,930,848	11,190,736	7,614,759	8,395,435	6,788,646	7,145,007	7,501,044	
Ending Fund Unrestricted Fund Balance	3,920,071	5,502,350	7,306,564	8,912,252	8,149,821	9,632,156	9,980,312	10,027,917	5,391,908	6,115,440	5,591,604	3,883,124	4,211,583	

Comment During the Public Comment period of the San Anselmo Town Council Meeting

Ross Asselstine, May 24, 2022

Recent financial reports from County staff reflect that the Flood District has spent what can only be considered to be an embarrassing, if not unbelievable, amount of our money for almost no credible benefit. It's time to start talking about taking real responsibility for the waste and saying this waste has many serious issues: it's a waste of our taxes, a waste of time, a waste of energy in a useless machine that does nothing. A vehicle with all but zero miles to the gallon, a factory with no product other than the smoke of hard earned money. San Anselmo needs to act. I believe you need to act.

These numbers are from FZ9's most recent financial report:

- Our flood fees have totaled about \$33.9 million so far
- We have external grants and sources of about \$4.3 million
- We have spent \$34.2 million to date
- There is only about \$4.2 million unspent or uncommitted in current fees

Expenses have been:

- Staff costs: \$10.3 million
- Consultants and Supplies: \$18 million (maybe \$5 million of this is construction)
- Land: \$5.8 million
- The estimated remaining fees to be imposed until 2027: \$23 million.

So we are here:

- About \$39 million dollars in income and \$34.8 million is gone.
- We own \$5.8 million of land and built one tiny detention basin for about \$5 million.
- The carbon footprint of this waste is staggering.

Engineering Summary:

We have no real way to increase creek capacity and no way to increase detention. I.e. there is no solution to flooding in the Ross Valley, but we sure know how to waste money studying it.

Financial and Environmental Impact

On average, we are burning money about as fast as we can collect the flood fee. In one view, about 75% of our money has been wasted. Wasting money is in effect, directly tied to producing CO2 emissions for no benefit. My perspective is that we've spent \$29 million dollars and emitted a consequent amount of CO2. This is a terrible truth and we should own it. The question going forward is are we going to participate in wasting the remaining \$27 million dollars not yet spent or collected as fees in the coming years.

What are we going to say when all the money is spent? Are we going to say we did not know? Are we going to say that no one told us? Are we going to say we did not think we could do anything? Are we going to say that spending almost \$60 million dollars on all but no flood control and a huge plume of CO2 emissions was worth it? Sometimes we want to blame someone other than ourselves: The US government, the State, the County, the USACE, FEMA, the list goes on. This waste is ours to stop. I believe it is San Anselmo's Council's time to act, just as it was the citizen's time to act with the Vote To Save Memorial Park.

And it should stop now. I suggest you all stand up to this waste. Now you know, now someone told you, now you can do something and yes, now you know wasting this much money is not worth it for the taxpayers or the planet.

I implore you to act.

NOTES

I attach documentation on Town Council actions in 1971 as well as notes about the engineering obstacles and related in the attached.

I also provide copies of some of the warnings I've given about budgets and ineffectiveness. Today marks exactly twelve years since I was appointed to the San Anselmo Flood Committee. I've been called a "critic" but I've been honest and rigorous in my assessment about where this entire effort was headed. I could see this coming.

We have exited the Flood District before, we can do it again.

On April 13, 1971 the San Anselmo Town Council voted unanimously to leave the Flood District. "San Anselmo should not participate in the maintenance of all of Corte Madera Creek because it is of little or no benefit to San Anselmo". "...the city attorney be directed to prepare an appropriate document indicating the City of San Anselmo's intention to withdraw from the Joint Powers Agreement". See **Appendix A**

On June 22, 1971 the San Anselmo Town Council told Flood Control District Engineers that "....as the project now stands, the City is absolutely not willing to discuss it further." See **Appendix B**.

This is not about "the NIMBYs" or "the naysayers". It's about the simple realities of our valley.

The failure to create detention basins cannot be blamed on those that apposed digging up Memorial Park. It was never going to be feasible to create enough basins.

The goals and concepts were unachievable, the engineering was not tied to any political or economic reality. The attempted land grabs were grossly naïve. I list the possible detention basins and the groups that adamantly opposed them:

- Phoenix Lake Reservoir: MMWD and the obvious risks related to an earthen dam failing.
- Memorial Park Basin: the majority of the voters in San Anselmo
- Left Gomez Basin : a huge number of Fairfax petition signatories and Fairfax Council
- San Domenico School Basin: the Board of Trustees of San Domenico
- Deer Park School Basin: the representative of Fairfax on the FZ Advisory Board
- Loma Alta Open Space Basin: advocates for open space
- Arequipa Basin: the representative of Arequipa Girl Scout Camp
- The Town and Country Club Basin: the owner of the Town and Country Club

I have been speaking up for years.

Since my appointment to the San Anselmo Flood Committee, I have read engineering reports, closely looked at budgets and estimates and warned the community about the reality of the situation and waste. A copy of a Marin Voice from 2017 is included in **Appendix C**.

APPENDIX A

Minutes of the regular San Anselmo City Council meeting of April 13, 1971

All present - quorum declared

ELECTION OF MAYOR AND VICE MAYOR

M/S Councilman Capurro-Stewart for the nomination of Councilman Anderson for Mayor. M/S Councilman Perry-Stewart to close the nominations.

Motion passed on following vote:

Ayes Councilmen Perry, Stewart, Capurro, Reed
Abstaining Councilman Anderson

Mayor Anderson occupied the Mayor's chair and thanked Councilman Reed for his hard work during his term of office as Mayor, pointing out that the Mayor has spent more time working for the city of San Anselmo than for any other project.

Councilman Stewart nominated Councilman Perry for Vice Mayor. Councilman Reed moved the nominations be closed. Mayor Anderson called for the vote for Councilman Perry for Vice Mayor. Passed unanimously

OPEN TIME FOR PUBLIC DISCUSSION

Ross Perry, President, Redhill School Student Body, asked if the city would be interested in helping his group with the collection of debris in creek and planting areas around San Anselmo such as providing debris bags. They plan on handling the material on a recycling basis. This is tentatively planned for May 22nd. Mayor Anderson stated the city will be happy to cooperate and Ross Perry should work out details with Mr. Letizell. Mr. DeVore requested permission to have signs at the entrances to San Anselmo pertaining to the San Anselmo Town Meeting. He was instructed to contact the Chief of Police regarding this matter. Mr. Husband, of the Parks and Recreation Commission, brought up the matter of a letter of intent to file for federal assistance for park projects. He was asked not to go into this matter since it was on the agenda for the adjourned meeting the next night, April 14, 1971.

APPLICATION FOR USE PERMIT, U-183, Brunal and Mitchell

Mr. Leitzell read the motion for denial by the Planning Commission which was based on the lack of off-street parking and the traffic problems which would be aggravated if such a business is allowed on this particular site. Mr. Shapire and Mr. Silberstein represented the applicants. They described a parking plan which included permission for five spaces at a nearby service station, and also stated that there would be no take-out food service and this item was taken out of their application. Mr. Heinecke, Chairman of the Planning Commission stated that the commission, in viewing the item, was concerned with the parking situation and further stated this is already a tight area with regard to traffic problems on Redhill. The Chief of Police stated the Police Department could not enforce the law in regard to parking in the reserve area at the service station since this is on private property. Mr. Ragan, Planning Commissioner, brought out the fact that the commission was only concerned with parking and safety - that there could be serious problems in having cars backing out on a busy street. Councilman Reed stated he found the actions of the Planning Commission proper and would uphold them. Councilman Stewart stated he was interested in the legal question as to what the beer and wine have to do with the application being denied. Mr. Heinecke felt that establishing another restaurant in the area dispensing alcoholic beverages is undesirable. He brought out that the reason for having Use Permits is the recognition there may be uses which can be applied in certain zones but not in all parts of the zone. Primary consideration is the safety and welfare of San Anselmo. If there were no other restaurants in the area serving alcoholic beverages, there would be no great concern but San Anselmo already has a bad situation traffic-wise and it is not unfair to the applicant to prevent him from compounding the problem. Councilman Capurro stated there are definitely two problems - traffic and off-street parking - unfortunately this property is located in an island - and he would go along with the Planning Commission. Councilman Perry said that the grounds for denial were appropriate because of the interest of public safety and welfare. The Chief of Police stated it is a bad situation and the problems have increased because of the Lions Share across the street.

M/S Councilman Reed-Perry that in regard to the application for Use Permit, U-183, Brunal and Mitchell, the decision of the Planning Commission be upheld and the appeal be denied.

Motion passed on following vote: Ayes Councilmen: Perry, Capurro, Reed, Anderson
Noes Councilman: Stewart

VARIANCE 444, application of Andrew Stafford for 10' variance

Mr. Leitzell described the matter from a map pointing out difficulties with parking patterns because of the cottage at the rear of the property. The land area is sufficient according to the ordinance. Mr. Reed stated there are specific reasons for the city to grant variances such as a hardship demonstrated and/or advantages to the neighborhood. Mr. Stafford explained that his property is for an investment and he wanted to get as many units on the property as possible. Mr. Perry felt that Mr. Stafford is trying to get too much on the lot and this is not a good reason for granting a variance.

Mayor Anderson pointed out that all requirements must be considered in order to obtain a variance, including set-backs and parking.
 M/S Councilman Perry-Stewart that the appeal of Ansrew Stafford be denied.
 Passed unanimously

RECOMMENDATION FROM PARKS & RECREATION COMMISSION - Proposed playground changes at Isabel Cook School. This item to be considered at adjourned meeting April 14.

POLICE:

1. Promulgation of eligible list, Police Sergeant. M/S Councilman Stewart-Perry to promulgate eligible list, Police Sergeant. Passed unanimously
- 1a Appointment of Police Sergeant. M/S Councilman Reed-Stewart to appoint Officer Richard Schmidt to the position of sergeant effective April 16, 1971, Step D, Range 70, salary \$992.00 per month. Passed unanimously

OIL AND GASOLINE FIRE SCHOOL - M/S Councilman Perry-Stewart to authorize the contribution of 100 gallons of gasoline for less than \$25.00 for the Marin County Fire Chief's Assoc. training school. Passed unanimously

APPOINTMENTS:

- 1/ Committee on Ecology: M/S Councilman Reed-Perry to appoint the following for the Committee on Ecology: Claudia Goldthwaite, 131 Surry Lane, Terra Linda, Michele Thunes, 70 Florence Ave. and John Doge, 91 Spring Grove Ave.
2. Traffic & Street Committee: M/S Councilman Reed-Perry to accept the resignation of R.G. Dufficy, III, from the committee. Passed unanimously A letter of appreciation to be sent out. There are no applicants for the position and Mayor Anderson stated that anyone interested should speak up. The appointment will be put over until there are applications for the vacancy.
3. Human Rights -Mini Board: M/S Councilman Stewart-Perry to accept the resignations of Mrs. Virna H. Chrest from the board. Passed unanimously Councilman Reed nominated Rev. Charles Gompertz, 13 Parkside Court. M/S Councilman Stewart-Perry that the nominations be closed. Passed unanimously
 M/S Councilman Reed-Capurro to appoint Rev. Charges Gompertz to the San Anselmo Mini-Board. Passed unanimously

MARIN SENIOR COORDINATING COUNCIL -Nomination for Senior Citizen of the Year. Mr. Trehwella reported that the San Anselmo Chamber of Commerce has nominated Mr. Von Rotz. M/S Councilman Capurro-Perry to nominate Mr. Von Rotz for Senior Citizen of the Year. Passed unanimously

AWARD OF BID, TREE SPRAYING

Benjamin Blades of the College of Marin Ecology Center voiced his concern about the substance to be used and stated that Berkeley used biological controls exclusively. It was decided that the matter would be held over until April 27, in order for Mr. Schaaf and his committee to have th time to get more detailed information.

AMENDMENT OF RESOLUTION 1240, Leased Housing Program. Mr. Leitzell gave history of Resolution. M/S Councilman Stewart-Reed that Resolution 1240 be amended as follows: Delete paragraph 8 and put the following wording in its place.

"Leased housing may be established in any structure meeting the requirements of paragraphs 1 through 7 above, providing that any dwelling unit proposed for participation in the program which is non-conforming per the Zoning Ordinance shall be shown by the owner to be legal non-conforming rather than illegal". Passed unanimously Councilman Capurro suggested that Item 4 be re-written by the City Attorney and passed at the meeting the following night, April 14. All agreed. Mr. Leitzell is to look at the two units under consideration before the meeting. Mr. Gerald J. Hood, Manager of Leased Housing Program, Housing Authority-County of Marin will be present.

AMENDMENT OF JOINT POWERS AGREEMENT, Corte Madera Creek Maintenance

Mr. Kaepfel explained that the request for an Amendment to Joint Powers Agreement is to enable the Marin County Flood Control and Water Conversation District to accumulate funds from year to year rather than have a larger tax rate one year and perhaps no tax rate the next year. Councilman Reed feels that San Anselmo should not participate in the maintenance of all of Corte Madera Creek because it is of little or no benefit to San Anselmo. The District keeps adding to the size of the ditch we have to maintain. He further states he is in favor of pulling out of the agreement completely. Councilman Perry was definitely not in favor of the addition to Paragraph 6, third line which reads in part: "and are not placed in a reserve for future maintenance". He stated the City of San Anselmo should refuse to modify the agreement which would allow the inclusion of this new phrase and should also send them a proposal allowing us to withdraw. M/S Councilman Perry-Reed that the city of San Anselmo declined to amend the Joint Powers Agreement with the Marin County Flood Control Water Conservation District. Passed unanimously

M/S Councilman Perry-Reed that the city attorney be directed to prepare an appropriate document indicating the City of San Anselmo's intention to withdraw from the Joint Powers Agreement dated November 23, 1965.

Ayes: Councilmen Perry, Reed, Stewart, Anderson

Noes: Councilman Capurro

Councilman Capurro felt that San Anselmo should not say we won't help maintain the creek because it belongs to all of us.

PUBLIC WORKS: Funding Resolution, TOPICS Program: Mr. Leitzell read the resolution by title only.

Resolution No. _____ Requesting allocation of funds from the California State Highway Commission for improvement of a portion of Sir Francis Drake Blvd. as a "TOPICS" project. Total allocation is for \$34,443.00. At the suggestion of Councilman Reed the remainder of the council concurring, Item 3 should read: "That the City has sufficient rights-of-way to assure completion of all stages of the Ultimate Facility." M/S Councilmen Reed, Perry that the resolution noted above be approved. Passed unanimous.

Resolution No. _____ approving a "Local Agency-State Agreement" for Traffic Operations Program to Increase Capacity and Safety, "Topics", authorizing the Mayor to sign the Agreement on behalf of the City is to be considered at the City Council adjourned meeting of April 14, 1971.

Authorization for the Mayor to sign agreement for signalization design, Project 66 is to be considered at the adjourned meeting of the City Council, April 14, 1971.

SPRING CLEAN-UP: Set dates and time, appropriate funds for debris boxes. Hours for the spring clean-up will be from 6:00 a.m. to 2:00 p.m. Mr. Schaaf, Chairman of the Ecology Committee for spring clean-up read a letter giving the following recommendations for spring clean-up.

1. Endorse the recommendation of the Ecology Committee to re-cycle all possible material collected during the spring clean-up.
2. Establish the weekend of May 22-23 (Sat. & Sun) for the clean-up.
3. Authorize the expenditure of \$900 for rental of debris boxes. (NOTE the Ecology Committee intends to spend as little of this amount as possible, but is requesting it because of the experimental nature of the program. Actually, the hope is to make a profit.)
4. Authorize the use of the city's chipping machine, and an operator experienced in its use, for the above period. The following additions were added by the Council.
5. The spring clean-up and recycling drive be under the control of the Ecology Committee with the exception of the fact that the city-operated equipment will be under the direct responsibility of the Department Head.

M/S Councilman Reed-Perry that the council endorse the recommendations of the Ecology Committee and accept Paragraphs 1,2,3,4 plus paragraph 5 and insertions. Passed unanimous. Mr. Schaaf reported that the Town Meeting and Ecology Committees are going to send out information regarding the spring clean-up without cost to the city.

REQUEST FROM ABAG: Project application by Sanitary District #1. M/S Councilman Reed-Stewart to check the Project Notification Response Card under "General Support" and send it back. Passed unanimously

REQUESTS FOR PURCHASE OF OFFICE EQUIPMENT

1. Used desk for Public Works Dept. M/S Councilman Reed-Stewart to authorize the purchase of desk from Cosgrove Equip. Co. not to exceed the amount of \$195.00 plus tax, from the general reserve. Passed unanimously

2. M/S Councilman Stewart-Reed to transfer funds from General Reserve in the amount of \$124.00 to Account 421-40 for purchase of filing cabinet. Passed unanimously

RESOLUTION No. _____ Amendment to sick leave regulations, read in full by Mr. Buresh. M/S Councilman Reed-Capurro to approve resolution of Intent. Passed unanimously

CONSENT AGENDA

Approve minutes of March 23, 1971.

REQUEST BY MEMBER OF TRANSPORTATION SUBCOMMITTEE CCPC -last line after "for public transit" insert 'to recreational areas'. Additions by Mr. Reed: In answer to the request by Mrs. Roberta Michels representing the Mini-Board regarding the installation of additional bulletin boards in various parts of San Anselmo, the Council agreed that the present bulletin board at City Hall is adequate for the ordinary business of the City as required by law. It was suggested that the Mini-Board could contact the shopping center banks, etc. for permission to use their bulletin boards if they feel there is a need.

Mr. Reed reported that several months ago, a citizen contacted Councilman Perry and offered some property to the city of San Anselmo which contained a large redwood tree. Later she contacted Mr. Reed who found she doesn't actually own the property now - that she and the Seminary were interested in the property at the same time and it now belongs to the Seminary. Mr. Reed discussed the matter with Don Duerr at the Seminary who stated that they had no desire to sell the property to the city or to anyone else. Mr. Reed wrote to Mrs. Stout stating that, in his conversation with Mr. Duerr, he found Mr. Duerr was interested in preserving the tree and suggested that she try to obtain some sort of guarantee from the Seminary for the preservation of the tree. Mr. Reed added his thanks for what Mrs. Stout was attempting to do.

Resolution No. _____ Claims and Demands for the month of March, passed unanimously by Council with Mr. Perry abstaining on Sunnyside Nursery item.
M/S Councilman Perry-Capurro to approve consent agenda. Passed unanimously

Requested items for the next agenda were:

Lions Share
Criminal Justice Co-ordinator
Burglary reports in the I-J

Councilman Stewart wants an item on the next agenda regarding setting aside a short period of time at the half-way point of the council meeting for discussion of items not on the agenda whereby anything can be discussed. Mayor Anderson suggested that a separate meeting for this purpose be called periodically and not use the regular City Council meetings.

Meeting adjourned at 11:45 p.m. until April 14, 1971 at 8:00 p.m.

H. Ragan, Secty.

* * * * *

Minutes of the San Anselmo City Council adjourned meeting of April 14, 1971.
All present - quorum declared

RECOMMENDATION BY PARKS & RECREATION COMMISSION for application for Federal Grant for park development and other park purposes.

Mr. Husband, Chairman of the Parks & Recreation Commission expressed the desire to approach the Council regarding the subject matter. However, the Mayor suggested that he withhold his recommendations until Mr. Joel Nemschoff, Area Manager of the Department of Housing and Urban Development had an opportunity to describe the program. In response to inquiries by members of the staff, City Council and Park & Recreation Commission, Mr. Nemschoff offered the following information to the City Council:

The President wants to develop open space for everyone. Under the July 1st law, his department (HUD) can use funds to develop any lands owned by the city - even lands that are leased. This is called the Legacy of Parks under the Bureau of Outdoor Reclamation or Rural Water-oriented parks. San Anselmo would be urban development. The Cities write to the bureau and tell them what they want to do:

1. What does the city to acquire?
2. What does the city want to develop?

All letters are reviewed and a letter of assurance is returned to the city and the details will be worked out later. The Bureau will eliminate some applications - depending on what the demand is - and this is why they are asking for a Letter of Intent. The open space program, Title 7 of the new law was passed effective July 1st. Regarding school land, there must be an agreement that the city would help to improve the land, state who will maintain it, and make certain it is usable by the public in general when not used by the school. List everything under the open space that the city might want to acquire - any open space to develop. - Because this is a 50% grant, nothing should be put in more than the budget can allow. There have been some changes in the program - now swimming pools can be built - and the \$25,000 limit on structures is off. For instance, if the city wants to plant a large quantity of trees, a work order can be issued and they can be counted as a contribution. The time involved in setting up a Letter of Intent is worth the effort. The letter should not be specific - the details come later. The program includes beautification items but not construction of curbs, gutters, etc. in the case of Hub intersection work and similar projects. Mr. Nemschoff said to forget Sorich Ranch because it is not a neighborhood park. He stated that his department views the overall picture to include housing and they are interested in the community using all of the programs and want the community to take an interest in housing. The Letter of Intent is due in on April 20th and the time to nail down the priorities can be changed. San Anselmo should have a Capital Improvement Program showing what the City can do within the next five years. Mr. Numschoff stated there are no HUD funds for constructing or improving a Civic Center but there are funds for storm drain improvement.

APPENDIX B

Minutes of the regular meeting of the San Anselmo City Council held June 22, 1971
All Councilmen present. Quorum declared.

CORTE MADERA CREEK FLOOD CONTROL PROJECT

Mr. Charles Murphy, Flood Control Engineer for the County of Marin, stated the Corps of Engineers had asked if San Anselmo and Fairfax would look at the Flood Control Project again, and he was present to answer any questions with regard to the project. Several of the Councilmen pointed out to Mr. Murphy that as the project now stands the City is absolutely not willing to discuss it further. The City is definitely opposed to work in the creek, concrete ditches, chain link fences, etc. ✓

Councilman Stewart presented slides of various channel Corps of Engineer projects throughout the County as well as areas of the creek in San Anselmo.

M/S Councilman Reed-Stewart, the City Administrator be instructed to write a letter to the Board of Supervisors informing them that we are not interested in any project designed by the Corps of Engineers until such time as they indicate a greater flexibility in their project storm criteria and further have reasonable assurance from their superiors that alternates to their basic design flood control facility can be funded; however, we are interested and concerned about flood control in the City of San Anselmo. Passed unanimously ✓

U-185 and C-30. RECOMMENDATION OF DESIGN REVIEW COMMITTEE. United Rent All

The City Administrator pointed out that the Design Review Committee concerned themselves with the screening of the outdoor display of vehicles only, and did not make a recommendation for the outdoor display of smaller equipment in the front of the building.

Mr. Pfeiffer, of United Rent all, said he felt the Design Review Committee proposed a good solution to the problem; however, it was a costly one for him. He said he was not in favor of removing existing live trees and the provision for what Design Review considered "proper maintenance".

M/S Councilman Perry, Stewart, the acceptance of the recommendations of the Design Review Committee insofar as they are set forth on the memorandum dated June 16, 1971 is concerned. Passed unanimously ✓

The Planning Director asked that the additional outdoor display of merchandise be limited.

Councilman Perry pointed out that the outdoor display of merchandise in this case was unique since there is a walkway immediately adjacent to the building and this is set back from the sidewalk, then there is a planted area and then a clear space where the merchandise would be displayed. The merchant is not being told he can put the merchandise on the sidewalk.

M/S Councilman Reed, Capurro, that we allow limited display of outdoor merchandise; the number not to exceed three and be containable on the walkway area adjacent to the front of the building so passage not be obstructed and that all items be removed into the building when the operation is closed and that this is to be reviewed in a six month period.

Ayes Councilmen: Capurro, Reed, Perry, Anderson
Noes Councilman: Stewart

STREET NAME CHANGE, ROSE AND LILY AVENUES, TO VINEYARD AVENUE

M/S Councilman Perry, Reed, that the names of Rose Avenue and Lily Avenue be changed to Vineyard Avenue. Passed unanimously ✓

REQUEST FROM MERCHANTS TO CLOSE SAN ANSELMO AVENUE AND TUNSTEAD AVENUE FOR COUNTY FAIR DAYS

The Chief of Police had no opposition to closing the above two streets for County Fair Days. There was a question of whether or not horses would be allowed in the parade.

M/S Councilman Perry, Reed, that in furtherance of San Anselmo County Fair Days, we authorize the closing of Tunstead Avenue from San Anselmo Avenue to Caspar's frontage, and that San Anselmo Avenue be closed from Tamalpais Avenue to Tunstead Avenue on Saturday August 28, 1971 from 11:00 a.m. to 3:00 p.m., and that permission is giving for a parade with or without horses. Passed unanimously ✓

APPOINTMENTS TO CITIZENS' COMMITTEE ON ZONING AND HOUSING

Resignations had been received from Robert Lee and William Franchini.

M/S Councilman Reed, Perry, that Robert Gicker and James Klein be nominated as regular members of the Citizens' Committee on Zoning and Housing. Passed unanimously

M/S Reed, Perry, nomination be closed. Passed unanimously

M/S Reed, Perry, the appointment of Robert Gicker and James Klein to the Citizens Committee on Zoning and Housing. Passed unanimously

In reviewing the attendance records of the members and alternates of the CCZH it was noted that Rev. Vernon Cox had never attended a meeting. Councilman Stewart asked the Committee Chairman to write a letter to him informing him that he is now the only alternate to the Committee, and they would like to have him attend.

Councilman Stewart suggested that additional alternates should be appointed. Councilman Reed felt that the Committee was so far into the study at this point that appointments of alternates at this point might have a deleterious effect on the project rather than a positive one. He said members might be less inclined to resign from the Committee if they are aware that there is no one prepared to take their place.

M/S Reed, Perry, that alternates not be appointed to the CCZHaat this time.

Ayes Councilmen: Capurro, Reed, Perry, Anderson

Noes Councilman: Stewart

The Administrator was asked to write letters of appreciation to Robt. Lee and Wm. Franchini.

A.B. 2294, Mobilehomes: LOCAL CONTROL REMOVED

Mayor Anderson said he had asked to have this item on the Agenda; he said he cannot believe this bill will pass the assembly, but it did pass the Committee on Planning and Land Use unanimously

M/S Councilman Reed, Perry, that we write to our legislators opposing AB 2294 and SB 1489 on the grounds that they are an invasion of home rule. Passed unan.

REQUEST FOR FUND RAISING DRIVE PERMIT, MARIN COUNTY YOUTH COMMISSION

M/S Councilman Stewart, Reed, that a solicitation permit be issued to the Marin County Youth Commission for the purpose of conducting a fund raising drive within San Anselmo and that such fee for the permit be waived in accordance with their letter of June 15, 1971. Passed unanimously

ANNEXATION OF TERRITORY AT END OF SAN FRANCISCO BOULEVARD

The City Administrator read a memorandum he had prepared after researching the possibility of annexation of the territory at the end of San Francisco Blvd. He said in an effort to make some progress toward eliminating the small unincorporated area between the City Limits and the Corporation Yard, he had discussed the matter with the Local Agency Formation Commission. He was told in view of the circumstances prevailing along this street the LAFC would favor such action in the hope that a domino effect would gradually bring all of these properties into the City.

M/S Councilman Reed, Perry, that we instruct the City Administrator to send a letter to each property owner on this unincorporated area on San Francisco Blvd. inviting them to apply individually for annexation thereby making all city services, including fire protection available. Passed unanimously

REQUEST OF CITY OF SAN ANSELMO RELATING TO PLUMBING FIXTURE CASE

M/S Councilman Reed, Stewart, that we instruct the City Attorney to file a written notice that the City of San Anselmo be excluded on the grounds that we made no such purchases. Passed unanimously

AMENDMENT OF URBAN THOROUGHFARE AGREEMENT

Mr. Buresh said he had read the agreement and felt that it was satisfactory as written.

M/S Councilman Reed, Capurro, the addition of section 14, as set forth as an attachment to a letter dated May 20 from the Director of Public Works, Donald Frost, to the Board of Supervisors. Passed unanimously

MAYORS AND COUNCILMEN:

1. Suggestions for increased effectiveness of meetings.

Councilman Stewart read his suggestion for increased effectiveness of meetings.

M/S Councilman Stewart, Reed, that the Council submit this resolution to the Marin County Mayors and Councilmen at their next regular meeting for deliberation by that body. The City Administrator to send a copy to each City previous to the meeting, and assure its placement on the Agenda. Passed unanimously

2. Proposal to Ban Non-returnable Beverage Containers

Mr. Valmar Schaaf, Chairman of the Ecology Committee reported he had research the proposal. It was found to be discriminatory to ban one-way beverage bottles when all other one-way containers are not banned, plus the fact that one-way glass containers comprise only about 3% of litter.

Councilman Stewart asked how the makeup of roadside litter was determined.

Mr. Schaaf said he did not know. Councilman Reed asked if it would be possible to study the makeup of roadside litter. Mr. Schaaf said that if the Council desired this, he could take it to the committee. Mayor Anderson said he felt such an ordinance should be passed on a statewide basis to make it work.

M/S Councilman Reed, Perry, that we support an ordinance banning the one way use of malt and carbonated beverage containers, providing it is passed by all other eleven cities and the unincorporated area and requesting the County and other cities then go along with the City of San Anselmo to study the composition of their litter to determine whether malt and carbonated beverage bottled do, in fact, constitute a high percentage of the slow degrading and non-degrading litter in our streets.

AYES Councilmen: Reed, Perry, Anderson

NOES Councilmen: Stewart, Capurro

REQUEST TO DECLARE OLD BICYCLE RACKS SURPLUS

The Director of Public Works said the old bicycle racks are not suited to today's bicycles, and he had an offer of \$25.00 for one of the old racks. He said it might be possible to rework the racks; however, in the case where he had an offer, it would be just as easy to buy new material for another rack with the money from the sale. M/S Councilman Stewart, Perry, that four bicycle racks be declared surplus and be disposed of at the discretion of the City Engineer. Passed unanimously

APPROVAL OF CONTRACTS

1. Marin Senior Coordinating Council - Mr. Ed Ryken, Executive Director of the Marin Senior Coordinating Council was present and discussed the use of facilities in San Anselmo for Senior Citizens. He said use of Robson-Harrington had been somewhat limited because of physical problems, e.c. restrooms located upstairs pose a hardship for some of the elderly. Seating capacity is limited and in some instances it is necessary to bring in additional card tables and chairs from other areas. Presently the Presbyterian Church is used as a base of operation. He said average attendance was between 50 and 80 per meeting 93% of which attendance are residents of San Anselmo. The City Administrator said a Joint Powers Agreement should be entered into with the Marin Senior Coordinating Council for the providing of recreational program for senior citizens and to renew the agreement with the Marin Senior Coordinating Council for the implementation of the program. M/S Reed, Stewart, that the Joint powers agreement providing recreational program for senior citizens for the coming fiscal year be approved and also the contract with the senior Coordinating Council for recreational services to senior citizens in an amount not to exceed \$2,700 also be approved. Passed unanimously

2. College of Marin, Work-Study Program - The City Administrator said this was a renew of an agreement which the City has had with the College of Marin. This year's contract is on the basis of a 60% federal contribution and 40% city contribution. Councilman Capurro felt this item was more appropriately considered at the Recreation budget hearing, and the matter was held over until that time.

ORDINANCES:

Ord. No. 617 Rezoning A/P 5-151-02,03,03 and a ptn of 01, (Arbini, Segale, Tartaul and Soldavini) second reading.

M/S Reed, Stewart, that we rezone A/P 5-151-02,03,04 and ptn of 01, (Arbini, Segale, Tartaul, Soldavini, from C-1 to R-1

Ayes Stewart, Reed, Anderson

Noes Capurro, Perry

Ord. No. "Amending Code relating to parking of bicycles. First Reading

The City Attorney said he and the Chief of Police felt the ordinance should apply only to the central business district. Councilman Reed said that would require quite a few bike racks since the only one the City had provided was demolished already. He said he did not believe that the Council had proved to themselves yet that a bicycle rack standing in a parking space was the solution.

The Mayor referred the matter to each Councilman to give some thought to, and the item was tabled until it was put back on the agenda.

CONSENT AGENDA

M/S Reed, Stewart, approval of consent agenda. Passed unanimously

The Mayor said it will be necessary to make an appointment to the Parks and Recreation Commission effective July 15. He would like to recommend that the appointment be made at the next regular meeting of July 13th.

The Mayor also announced the Council should be ready with nonimations at the July 13th meeting for the two terms on the Planning Commission.

Mrs. Cann of the Parks & Recreation Commission asked how late letters of application would be accepted for the Park & Recreation Commission, and the Mayor told her they should be in by the following week.

The Mayor brought up the noise ordinance. If the Marin County Mayor's and Councilmen do not proceed on this item it will be placed on the next San Anselmo City Council agenda.

Meeting adjourned at 11:00 p.m. to 8:00 p.m. June 23, 1971 Budget Hearing/

Thelma Foster, Secretary

APPENDIX C

OPINION COMMENTARY

Marin Voice: Stuck on the wrong strategy for Ross Valley flood control

By MARIN INDEPENDENT JOURNAL |

PUBLISHED: February 16, 2017 at 2:49 p.m. | UPDATED: July 19, 2018 at 12:12 p.m.

It's time to be honest with each other. Starting with today.

To reduce damage from floods in the Ross Valley, the effort needs to be focused on simple measures to protect what is in harm's way. We need to set aside a half-baked, unjustifiable engineering plan to "fix" nature.

Mitigating risk by attempting to control the raging waters is for all practical purposes a fool's errand.

At this point, it is an expensive fool's errand.

We are living in the absurd spending our money in an irresponsible fashion when:

1. There are no reliable estimates and never have been.
2. There is no coherent plan to meet the goal of "fixing" the floods.
3. There is no money allocated to reduce flood losses by the simplest and most practical measures.

Most of us drive the streets of our flood plains every day. We can see the evidence that older homes were raised. We might even know someone that raised their home since 2005. In commercial areas, we can see a few solidly built floodgates that will work, and flimsy gates or piles of sand bags that won't. We also know there is real and justifiable opposition to detention basins.

I have spoken publicly for years, along with numerous others, to voice objections to this absurd process.

After six years of reading engineering reports, I've long understood and am convinced, there are fundamental problems that cannot be surmounted: a lack of money and land. Like so many places across the U.S., buildings must move, be raised or have perimeter protection because flood waters simply cannot be mitigated.

Let's go back in time a bit.

If we were given comprehensive, complete estimates and a clear voice in use of public spaces six years ago, the entire effort and all of our funds would have been re-directed towards the simplest, quickest and most effective methods available. The recent storms of this season would not have resulted in sandbagging of our downtowns; we would have first-class hinged floodgates and sealed floors on the commercial buildings.

We could have offered a program to help homeowners raise their homes; maybe pay for the permit costs, while the homeowner pays to improve their own property. We would have been doing something useful and of immediate benefit. We would have had six years of real progress.

A failed plan gives false results.

The Flood Zone 9 board perpetuates the false hope that we are going to control nature. Because of this, many emotional people have been led to believe that their realistic neighbors are the problem.

A social media website, Nextdoor, is filled with long comments and 10-bullet-point diatribes, being divisive and suggesting the impossible, but these are not based on the simple, irrefutable fact that we don't have enough money nor unused land to build a "big dig" solution. There are decades of history of proposals to fix floods. This history is laced with just a few undersized projects, cost overruns, unaffordable dreams and community actions to halt "big digs" that are considered as harm to the environment. We are paying huge sums to re-live that history: simply repeating the cycle of wanting something we either cannot have, or don't accept the loss of quality of life.

We are going in the wrong direction and most of us know it.

We need to head in a new direction. We need to do this together, based on an honest assessment, based on rational use of our flood fee dollars, based on tangible improvements.

Robyn Clifford

From: John Crane <johncranefilms@gmail.com>
Sent: Tuesday, June 14, 2022 12:25 PM
To: Robyn Clifford
Subject: Fwd: Comments for Tuesday, June 14, 2022 San Anselmo Town Council Meeting

CAUTION: External Sender

June 14, 2022

RE: Summation of Overwhelming Challenges, Adverse Impacts and Problems with Process

TO: San Anselmo Town Council

I am a homeowner trying to protect my home from harm resulting from the Marin County Flood Control and Watershed District's (the District) flood projects, notably the San Anselmo Flood Risk Reduction Project (SAFRR). My home is located at 86 Sir Francis Drake Boulevard in Ross. I am, along with many other homeowners, being put at a greater risk of flooding by the District. My home did not flood in 2005, and most of the homes that will be adversely impacted by these projects have also not been previously flooded.

I would like to call your attention to the following:

- The reason the District wants to install a baffle at Bridge Building 2 (BB2) is to “buy time” (their words) to determine what *potential mitigation* is necessary.
- Four years after certification of the 2018 SAFRR EIR, there is still no comprehensive mitigation plan for adversely impacted homeowners, and there is a lack of funding.
- The proposed baffle would be constructed in advance of downstream mitigation for adversely impacted homeowners. 44 CFR 65.12 requires that the community certify that there are no unmitigated impacts at insurable structures.
- The baffle costs \$200,000, but before installation, there is \$4 million of work proposed to stabilize the creek slopes, remove a bridge foundation, stabilize and revegetate banks, all to enable replication of the flood constriction of the bridge foundation just removed. This replica prevents flood remediation upstream and downstream of the proposed baffle. Future removal of the baffle will be at additional cost and undertaken only after non-existent, unfunded conceptual projects.

Involvement by the community and FEMA have made a critical difference, the District has had to update and revise its plans to meet established criteria, requirements, regulations, ordinances and guidelines. The community depends on FEMA's on-going support, and oversight to protect the interests of property owners in Marin County, and to that end the Town of San Anselmo has a clear responsibility to not cause harm to downstream homes.

180 Projects and Improvements Reduced to Fewer than 13 Measures

When the flood fee was established in 2007 it was envisioned that the flood fee would pay for a high level of flood protection for Ross Valley in a 100 -year-event. That went down to 25 year-event protection in 2012, then to a 6 year-event around 2018, and now it is effectively zero. The original plan called for 180 projects and improvements, but over time that dwindled to 13 projects and now most of those solutions are no longer feasible due to funding issues, complications, feasibility and various issues that the District has been unwilling and unable to resolve.

At the top of insurmountable problems is the lack of mitigation measures for 20 impacted homeowners. After 4 years since 2018 SAFRR EIR was certified, homeowners such as myself have never seen a mitigation plan specific to their homes. This is true for all but 3 property owners. Based on past performance and the current lack of plans, I don't believe the District has the money or ability to provide effective mitigation.

The original lofty 100-year goal has been significantly reduced, but very few taxpayers realize it. That is why the Town Council of San Anselmo must act in accordance with the best interests of the community, FEMA regulations, and avoid the massive liabilities that the District is creating for itself and the Town of San Anselmo.

SAFRR is on a road to nowhere. There is no reason to waste more money on a temporary baffle that provides zero flood benefit.

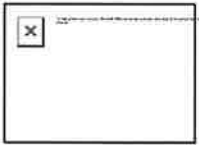
Respectfully,

John Crane

John Crane Films

415.847.5054

email: johncranefilms@gmail.com



Robyn Clifford

From: ross asselstine <ross.asselstine@comcast.net>
Sent: Thursday, June 16, 2022 8:28 AM
To: Town Council; Dave Donery; Sean Condry
Cc: 'Jeff Kroot'; mark_haddix@afbcllc.com
Subject: San Anselmo Due Diligence of Building Bridge 2

CAUTION: External Sender

Mayor, Council Members, Dave and Sean,

I am not up to speed on the issues related to Building Bridge 2, (the downtown plaza) but was very surprised that the timeline to act on potential negotiations to accept the property from FZ9 may come very quickly if not in the coming few months. I think a few things need to move very quickly to prepare for this possibility.

From my personal quick view, the FEMA no-rise risk / financial issues are best managed by keeping BB2 in place.

I've no idea what David and Sean may be working on in terms of a report, but I forward the numbered notes below with the intent of adding my input as early as possible such that investigations can progress quickly and without me commenting later after a survey is completed. I think that two other individuals in town will be invaluable.

You will see that I have copied Jeff Kroot and Mark Haddix. Jeff you all know well. Mark you met recently. Mark and I worked on projects in the city together. Mark has by far the most extensive experience available in the process of requesting (as well as conducting) these type of reports. I've seen hundreds of these reports, Mark has likely seen thousands in his career. He is an exceptional talent we should use now. His experience is measured in decades as well as millions of square feet of buildings. Because of what appears to be a serious time constraint, I believe that including Jeff and Mark in Sean's RFP scope document and review of the report will be most valuable and help things progress quickly. A quick preliminary walk with Sean, Jeff and Mark would be great and get everyone on the same page quickly.

I compiled this quick list this morning to kick this off as I am headed out on an extended vacation.

BB2 (plaza)

1. Research town records for permit drawings of the original steel and concrete drawings.
2. Conduct a CalTrans survey of the structure ASAP. Include removal of sections of the top layers of non-structural surfaces so that the top of structure is exposed. The report should requested without bias of outcome.
3. This might include x-ray work to find rebar spacing and depth of cover.
4. Request the report include estimated immediate and long term repairs, if required. The numbers should reflect protection work over a stream.
5. Request that the report include an estimated remaining lifespan
6. Request that the engineer estimate the dead load capacity of the structure.
7. Survey the large steel tube that likely was the SS enclosure for the car hoist piston. (This is under the park side of BB2) Access the top if possible to see if there are oils or other hazardous materials inside the tube. Estimate removal of the tube as Hazmat.
8. Look for any other potential locations of Hazmat like asbestos tile, insulation etc.
9. Research and find / sight the property boundaries.
10. Assess bank stability within parcel and potential cost to remediate.

Acorn Building (BB1?) opposite the fire house.

11. I think this may be included in the negotiations and as such, some review might be considered.
12. For all I know, maybe it stays with FZ9. I don't know if a benefit to SA. There were suggestions that a new bridge to "straighten Center Blvd" and to tear out the old Center bridge could be useful to the town. It might be best to leave this issue for another day and another form of funding.

As a final point, I note that FZ9 meetings are noticed and calendared **just 3 days before the meeting**. I can also say that in my experience the FZ9 AB rubber stamps most things the MC staff presents and then follows their legal obligation to secure approval from the BoS. Ie, SA TC may feel they have input but ultimately will not have more influence than a single representative. The next few meetings, in my mind must have two weeks notice for schedule and documentation available in advance no less that what SA does with their meeting packets. I also note that I believe that it is going to be most beneficial to SA if more that one representative of TC be present. Finally, the next few meetings should be in SA where online meetings are feasible. One of the last meetings was in Larkspur and not accessible on Zoom. The next meetings are not going to be just any old meetings.

As always, I think you for your time to read my emails on this subject.

Ross Asselstine