

**MINUTES OF FLOOD CONTROL ZONE 1
ADVISORY BOARD MEETING OF NOVEMBER 18, 2004
NORTH MARIN WATER DISTRICT OFFICE
999 RUSH CREEK PLACE, NOVATO**

The meeting was called to order at 7:32 p.m. by Chair Bill Long.

Board Members Present: Bill Long, Chair
 Ray Wrysinski, Vice-Chair
 Mark Byers
 Deit Stroeh

Board Member Absent: Terry Molloy

Staff Present: John Wooley
 Pat R. Balderama
 Joanna Charlton

Item 1. Approval of Minutes

M/S Stroeh/Byers to adopt the minutes as presented, for the September 16, 2004 meeting. Approved 4-0.

Item 2. Novato Flood Control Project, Phase VIII

John Wooley made a brief summary of the project as discussed in the September 16, 2004 advisory board meeting. In a nutshell, he reiterated that the estimate for easement acquisition is approximately \$2.5M which is 2.5 times higher than the budgeted amount and the construction cost is only about \$0.5M. Based on cost-benefit ratio alone, staff finds it unjustifiable to proceed with the project with these numbers. He emphasized that the current project will not provide additional flood protection to the residents. The project design is largely for bank stabilization and construction of access to the creek. He noted that the creek, by natural evolution, has achieved the capacity to handle a 50-year storm frequency, which was the intent of the overall project.

John Wooley said that after consultation with County Counsel, he was informed that Flood Control can acquire "island easements", contrary to what he believed before, but that adjoining easements are still the preferred policy for practical purposes.

John Wooley introduced Joanna Charlton as the new project design engineer. He informed the Board that Ms. Charlton is very familiar with the project since she has been the coordinating the Marin Conservation Corps creek cleanup in Novato for many years.

As requested by the Board in the previous meeting, Mr. Wooley recommended that Phase 8 be constructed in two phases, Phase 8A and Phase 8B. Phase 8A would be all improvements in areas where Flood Control has existing right-of-ways (7th Street to Grant Avenue) and immediately downstream of 7th Street. He also recommended to include the stretch immediately upstream of Diablo Avenue which would involve easement acquisition from three properties. These sections of the creek constitute about 52% of the project but only about 12% of the easement cost. From an engineering perspective, the improvement to this section of the creek is the most effective component to the project, and at a small fraction of the cost. Phase 8A will be constructed in 2005 and Phase 8B in 2006. On Phase 8B, Mr. Wooley mentioned that access easements within creek bottoms only, may be acquired from properties without any proposed improvement in order to reach properties where work is contemplated. He also said that by doing the

work in phases, it provides more time for easement acquisition or to plan a strategy to solve any impasse on proceeding with the project.

BM Stroeh stated support for the project recommendation citing that it will help minimize the impact on the overall project budget due to lesser cost in addition to greater effectiveness to the project.

BM Wrynski voiced concern on not being able to acquire the easement on time which could jeopardize the rest of Phase 8A.

BM Long asked whether fencing would be required. Staff answered that it is not imperative to have fencing.

Carol Spillman of 1401 West Court suggested that the money intended for easement acquisition be prorated among all affected property owners. She said that some properties are losing their yards to erosion and something needs to be done to remedy this situation.

Some people in the audience expressed their desire to donate their easement just so the project can materialize. Others suggested to have a neighborhood meeting to get a unified solution to the easement matter. BM Stroeh offered to attend such a meeting. BM Wrynski suggested to have real estate experts attend the meeting as well to answer questions.

M/S Stroeh/Wrynski directing Flood Control staff to proceed and prepare for construction of Phase 8A in 2005, as outlined above, with or without (due to failure to acquire easement) the area immediately upstream of Diablo Avenue. Approved 4-0.

Item 6. Open Time for Public Expression

Susan Stompe announced that the Marin Conservation League is exploring to host a creek collaborators conference. Creek experts will be the featured speakers.

The meeting was adjourned at 8:47 P.M. until the next meeting in January 2005.