

FINAL MINUTES
FLOOD CONTROL BOARD
FEBRUARY 7, 2011
CORTE MADERA TOWN HALL COUNCIL CHAMBERS

Boardmembers Robert Bundy, Chair
Present: Stephanie Bennett
Bill Carlson
Vaso Medigovich
Barry Trailer

Staff Present: Public Works Director/Town Engineer Dan Ring

1. Call to Order

Chair Bundy opened the meeting at 7:30 p.m.

2. Open Forum for Public Expression

There were no comments.

3. Approval of Meeting Minutes (January 10, 2011)

M/s, Medigovich-Bennett, and carried unanimously to approve the minutes of January 10, 2011 as corrected.

4. Old Business

A. Update on Golden Hind Storm Drain Pump Station & Improvements Project (09-100)

Public Works Director Ring presented a staff report. He stated the project was started about 2 ½ weeks ago and is intended to alleviate curb ponding and associated drainage problems in the area due to the tides backing up and the inability of the drainage to flow to the bay. The contractor is Bay Pacific Pipelines and AN West is handling the construction management. He presented some slides including the plans, layout of the pump station, etc. He noted the installation of the pump station would be the last thing done and would occur sometime in March or early April. Some electrical work would be done to control the pump station. He presented a slide of the contractor's schedule and stated staff was working on some items that could be expedited. Boardmember Medigovich asked why staff wants to expedite the project. Public Works Director Ring stated the construction oversight was costly. They will probably end up reducing the amount of field time as things get underway. The slotted curb drains will be delivered next week. Most of the underground storm drain connections have been installed. He presented a slide of an aerial photograph showing the extent of the project. Traffic control is going smoothly partly due to the width of the streets. He displayed a drawing of the catch basins and explained that they provide connection points for the trench drains. Many of the trench drains will connect to existing catch basins. Several of the catch basins will serve as a clean out and a junction at certain locations. They will backfill the trenches when completed to alleviate settlement. Boardmember Trailer noted one of the trench drains looked like it was in the middle of the street as opposed to along the curb line. Public Works Director Ring stated this was a way to connect to a couple of the trench drains due to the topography. Boardmember Bennett asked if that line ran all the way down Golden Hind. Public Works Director Ring stated "yes". He presented a slide that showed the outline of the proposed pump station and the new location of the existing gas main. He pointed out the location of the control cabinet and noted the size had been changed to make it less visible to the neighbors.

Boardmember Trailer asked if the trench drains were custom made for each location. Public Works Director Ring stated “yes”. The contractor surveyed the area and noted the elevations were dead-on to what was in the plans. All the pieces need to “line up” and they are using the product that was designed for this project.

Public Works Director Ring stated the Board had discussed offering concrete work to the residents (at their expense) in the area but the Town Manager and Town Attorney expressed concerns about getting into a “sidewalk replacement program”. Staff is thinking that the contractor could discuss this with the individual property owners. He stated the only place where the sidewalk looks bad was near the intersection of Golden Hind and Tradewind Passage. Staff might ask the contractor to simply take care of it.

Boardmember Bennett stated the curb and gutter issue was more of a concern. Public Works Director Ring stated he was not sure that a property owner would want to pay for this when everybody else got it for free. This is a storm drain project and not a concrete/curb/sidewalk project. Boardmember Bennett stated that seemed fair but noted it would look odd in some areas. Public Works Director Ring stated there were two location outside of the boundary of the project that are experiencing curb ponding that will be added to the project: 1) Golden Hind at Tradewind Passage; 2) 10 Foremast Cove. Boardmember Bennett asked if there were drains at Foremast Cove. Public Works Director Ring stated they plan to add them. Boardmember Bennett asked if staff had been approached by homeowners about these two locations. Public Works Director Ring stated “yes”.

Chair Bundy asked if they encountered any problems or anything unexpected. Public Works Director Ring stated “no”. Chair Bundy asked if Bay Pacific Pipelines has done any similar projects. Public Works Director Ring stated they recently finished storm drain projects in Fairfax and Novato. This project will involve more concrete work.

Mr. Harry Schriebman asked if the work on the gas main was supposed to have started today. Public Works Director Ring stated he thought so. Mr. Schriebman stated PG&E got called away and hopefully will return tomorrow.

B. Discussion of Potential Grant Funding Sources for Flood Control

Public Works Director Ring presented a brief staff report.

Chair Bundy stated he received a pamphlet from the Marin Conservation League about the Corte Madera Shoreline Marsh. He stated Ms. Ann Thomas took a walk along the marsh and discussed the potential for grant funding from the Baylands Advocacy or the Audubon Society.

Public Works Director Ring stated this is the first attempt by staff at looking at grant funding. He acknowledged that the levees have taken a “back seat” to other projects. Staff would like to identify any funding sources before proceeding with any additional studies or design work. Phase I and II of the 2006 Townwide Drainage Study incorporated some preliminary designs for improving the levees. He displayed some slide that depicted what could happen along Lucky Drive, the Shore Bird Marsh, etc. Staff does have some concepts and rough costs for such a project. Boardmember Trailer referred to one of the slides and noted it appeared that this section of the levee would be raised but not widened. Public Works Director Ring stated this section is based on the hope that the existing levee was in good enough condition that it could be raised. The options include removing the entire levee and rebuilding it, widening it out, or driving sheet piles through the center of it. The report calls out the alternatives. There are a lot of design details that were not worked out. Geotechnical studies would need to be done to determine the composition of the levee, whether it was competent material, etc. Some grants have a goal of recapturing wetlands and would require removal of the old levee and building a new one further inland. Boardmember Medigovich stated another alternative might be to go from the pump station and raising the railroad right-of-way since it should be well compacted. They could leave the existing levee where it is. Public Works Director Ring stated the grant might require removal of the existing levee.

Public Works Director Ring showed a slide listing potential funding sources from Flood Safe and the Flood Corridor Protection Program. One of the funding sources is from the Safe Drinking Water, Clean Water,

Watershed Protection and Flood Protection Act. Most of these funding sources occur on a yearly basis and are of a competitive nature. He noted the most critical levee was the one that protects the Marina Village area. They would need to get an environmental assessment of the area and do some preliminary designs to see if the project would be feasible. Boardmember Medigovich stated it would not make sense to move that part of the levee since it has habitat on either side of it. Public Works Director Ring agreed but added the grant might require that they move it. The other grant is through the Local Levee Assistance Program and it offers money for doing emergency repairs of existing levees or studies on levees that are in need of repair. There are new draft requirements for this grant coming out soon. He stated the maximum request was \$5 million per project and the Town would need to contribute 10% of the cost of the project. Other requirements include an assessment of the wildlife and wetlands benefits, a resolution from the City Council, conceptual plans and cross sections, and a CEQA Initial Study. Staff will work on getting an application together next year. Boardmember Trailer stated it would be worthwhile to see what projects have qualified in the past. Public Works Director Ring agreed.

Chair Bundy asked if it would be appropriate to form a liaison with some of the local environmental agencies to see what projects they are looking at. Public Works Director Ring stated that was a good suggestion and noted forming partnerships was the way to get things done these days. Ms. Ann Thomas stated the Marin Conservation League would be willing to partner with the Town. She added that the Marin Audubon Society was talking with the Department of Fish and Game and the Golden Gate Bridge and Highway District about relocation of a walking path to improve the Clapper Rail habitat. Chair Bundy stated that project could include some excavation that would result in some spoils that could be used for levee repair. Boardmember Trailer stated that area was being overrun by pampas grass and he asked if there were funds for marsh restoration. Chair Bundy stated this was a seasonal wetlands area.

Chair Bundy asked if there was a need for an ad hoc committee. Public Works Director Ring stated it was challenging for staff to keep current on these grants and any help would be welcomed. The various State and Federal agencies have websites and identification of these grants would be helpful. Chair Bundy stated the Board could help coordinate with the environmental community.

Boardmember Carlson asked if the Town could hire a grant consultant. Public Works Director Ring stated the accessibility consultant position has a grant writing component to it and they might be able to expand the scope of the position. Staff is trying to avoid hiring another consultant.

Boardmember Medigovich referred to the two dykes and the feasibility of moving one rather than the other and stated the north/south dyke, if moved towards Nordstroms, would be relocated onto a compacted railroad right-of-way. The other dyke, if moved either way, would be relocated onto un-compacted bay mud. Public Works Director Ring agreed and stated they would endeavor to get it on as stable a foundation as possible.

5. New Business

A. Reevaluation of Required Revisions to the Flood Hazard Ordinance Relative to Current Building Code Provisions

Public Works Director Ring presented a staff report. The Town Attorney had a lot of comments on the revised ordinance. He stated it was intended to match a model ordinance adopted by the State in 2006. The new California Building Code contains a lot of flood hazard mitigation provisions. FEMA provisions also include flood hazard mitigation strategies. Some of the State codes conflict with the FEMA provisions. He contacted the Community Rating System Specialist and asked if there was an effort to combine the two codes into one. The specialist stated they were working on a model ordinance that will be completed in the near future. They also suggested that the Town make the small changes necessary (NGVD to NAVD; change the base flood elevation from 6 NGVD to 9 NAVD, resolve the freeboard issue) and leave the rest alone. The Town will not get penalized for making any more changes since there is a model ordinance in the works. He also found information about changing freeboard requirements. The Board discussed reducing the freeboard requirements from the three feet in areas adjacent to San Clemente Creek to no freeboard in Flood Zones AE. He has received advice that this might not be a good thing to do. The cost for flood insurance is \$1,700 if the base flood elevation is met compared to \$880 per year if the

structure is one foot above the base flood elevation. A geotechnical engineer familiar with the area has stated that more settlement could be expected. Staff is recommending that they leave the one-foot of freeboard in the ordinance as a factor of safety. One foot added to the height of the structure would not significantly add to the visual impact. He noted the following recommended changes to the ordinance: 1) change in definition of base flood; 2) addition of sub-definition of “base flood elevation” (as shown on Flood Insurance Rate Map); 3) date of new map; 4) change from NGVD to NAVD; 5) definition of NAVD; 6) addition of new zones. He noted there were two zones in Town- AE Zone and VE Zone. The VE Zone is adjacent to the bay and subject to wave action. He is suggesting the following language: “In the AE Zone, elevate to a height equal to or exceeding one foot above the base flood elevation”. It would remain three feet above the base flood elevation in the VE Zone to account for waves, storm surge, etc. Boardmember Medigovich asked if he was recommending elevation 10 for most of the Town. Public Works Director Ring stated “yes”. Boardmember Medigovich noted this was equal to elevation 7 NGVD. Public Works Director Ring stated eliminating the one-foot of freeboard would result in a loss of 100 points in the Town’s CRS rating.

Chair Bundy asked how NAVD correlates to the tide calendar. Public Works Director Ring stated they are the same.

Boardmember Trailer asked if the house at 50 Mohawk represented one foot of freeboard. Public Works Director Ring stated “yes”. Boardmember Bennett asked about the three homes on Golden Hind. Public Works Director Ring stated two of the homes would be raised three feet above the base flood elevation and one would be raised 1.5 feet above the base flood elevation.

Chair Bundy stated he would prefer to have it at the base flood elevation with the option of raising the structure left to the property owner.

Boardmember Carlson stated it sounded like they were at the mercy of the FEMA credit rating system.

Boardmember Bennett reiterated that the Town would lose 100 points if they eliminate the one-foot of freeboard.

Boardmember Trailer noted the one-foot of freeboard only applied to people who are raising their homes. He added that elimination of the one-foot of freeboard would result in an increase in flood insurance premiums.

Boardmember Bennett asked if staff had a list of people who have flood insurance. Public Works Director Ring stated they get a list from FEMA. Boardmember Bennett stated an increase in flood insurance premiums would have a big impact to those residents. She stated she could support the staff recommendation since it would not affect very many homes.

Chair Bundy stated they want to encourage people to raise their homes so they are not at risk of flooding. He is concerned about aesthetics and lack of conformance with the character of the neighborhood. Public Works Director Ring agreed and stated it was somewhat subjective in terms of the neighborhood.

Boardmember Trailer stated he was in favor of whatever has the least adverse impact for the greatest number of people. The Board agreed.

M/s, Medigovich-Bennett, and carried unanimously to support the staff recommendation for the minimalist approach to revising the Flood Hazard Ordinance to include the one-foot freeboard requirement.

6. Adjournment- The meeting was adjourned at 9:30 p.m.