

**MARIN COUNTY FLOOD CONTROL
ZONE 5 (STINSON BEACH)
MEASURE A**

<p>A MEASURE A: To provide funding to: reduce riverine flooding risk for residents, visitors, and businesses; maintain natural creek functions; reduce sediment entering Bolinas Lagoon; and incorporate habitat enhancements for fish and wildlife, shall a special tax be levied within Zone 5 for 20 years in the amount of \$250.00 per year for improved parcels and \$50.00 per year for unimproved parcels?</p>	YES
	NO

COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE A

**MARIN COUNTY FLOOD CONTROL AND WATER
CONSERVATION DISTRICT SPECIAL TAX TO REDUCE
RIVERINE FLOODING RISK, MAINTAIN NATURAL CREEK
FUNCTIONS, REDUCE SEDIMENT ENTERING BOLINAS
LAGOON, AND INCORPORATE HABITAT ENHANCEMENTS
FOR FISH AND WILDLIFE.**

This measure was placed on the ballot by the Board of Supervisors of the Marin County Flood Control and Water Conservation District.

If this Measure is approved by a two-thirds vote, the Marin County Flood Control and Water Conservation District will be authorized to levy an annual tax within Flood Control Zone No. 5 in the amount of two hundred and fifty dollars (\$250) per improved parcel and fifty dollars (\$50) per unimproved parcel until June 30, 2036. The proceeds of the tax will be used to reduce riverine flooding risks for residents, visitors and businesses; maintain natural creek functions; reduce sediment entering Bolinas Lagoon; and incorporate habitat enhancements for fish and wildlife.

s/STEVEN M. WOODSIDE
County Counsel

ARGUMENT IN FAVOR OF MEASURE A

This measure is to raise funding to mitigate the community's chronic hazard of creek flooding. Presently, the only source of funding for our Flood Zone is approximately \$60,000 per year allocated by the County from property tax. This sum is grossly inadequate to even continue minimum flood mitigation efforts. Therefore, without this measure flooding is likely to get worse and more frequent. The additional funds will allow for increased maintenance, extremely necessary creek dredging to address the large buildup of sediment and debris in the creek, which due to the lack of funding has not been removed in many years, and has substantially reduced the volume of water which the creek can hold before overflowing it's banks. Further, the project will support wetland restoration and serve as a basis for matching funds, allowing the County to seek grant monies to create a diversion channel for flood waters to bypass away from emergency access roadways, homes and businesses, greatly reducing flooding impacts.

After the devastating flood on New Years eve in 2005, and in response to concerns by community members, the County initiated a large study in five communities, one being Stinson Beach, to study the problem and possible solutions. We now know the solutions but need the funds to implement them. Flooding may not directly affect your property, but it is a community wide issue that needs a community wide response. Repeated flood events are extremely disruptive to the community at large and devastating to many of its residents. If we truly are a community, we will act together to address this problem. **We urge you to support this measure, please vote YES on A.**

s/BARBARA BOUCKE
s/LAWRENCE A. BASKIN
s/MARK WHITE
s/JOHN R. WASHINGTON
s/TOBY BISSON

NO ARGUMENT AGAINST MEASURE A WAS SUBMITTED.

FULL TEXT OF MEASURE A

RESOLUTION NO. 2014-99

RESOLUTION OF THE MARIN COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD OF SUPERVISORS CALLING FOR AN ELECTION TO IMPOSE A SPECIAL TAX UPON PARCELS LOCATED WITHIN FLOOD CONTROL ZONE NO. 5 FOR THE PURPOSE OF REDUCING RIVERINE FLOODING RISK FOR RESIDENTS, VISITORS, AND BUSINESSES; MAINTAIN NATURAL CREEK FUNCTIONS; REDUCE SEDIMENT ENTERING BOLINAS LAGOON; AND INCORPORATE HABITAT ENHANCEMENTS FOR FISH AND WILDLIFE.

WHEREAS, the Board of Supervisors of the Marin County Flood Control and Water Conservation District, and upon the recommendation of the Flood Control Zone No. 5 Advisory Board, determines that it is in the best interests of the property owners within Zone No. 5 to provide for increased protection from riverine flooding risk; and

WHEREAS, pursuant to all applicable state law, including California Water Code – Appendix 68-5(11) and Government Code Section 50075 *et seq.*, and in compliance with California Constitution Articles XIII A and XIII C, the Board of Supervisors of the Marin County Flood Control and Water Conservation District is hereby authorized to adopt this Resolution to establish and impose (subject to voter approval) a special tax upon all taxable real property located within Flood Control Zone No. 5; and

WHEREAS, the Board of Supervisors of the Marin County Flood Control and Water Conservation District calls for an election to impose a special tax in the amounts specified below beginning the second half of fiscal year 2015-2016; and

WHEREAS, the special tax, if approved by the electorate, will not exceed the spending limit pursuant to California Constitution Article XIII B; and

WHEREAS, the Board of Supervisors of the Marin County Flood Control and Water Conservation District conducted a public hearing on this matter on November 4, 2014 and

NOW, THEREFORE, BE IT RESOLVED that, subject to voter approval, the Marin County Tax Collector shall collect the special tax annually in the same manner and subject to the same penalties as County property taxes are collected. The County shall be entitled to deduct its reasonable costs incurred collecting the special tax before such tax is remitted to the Marin County Flood Control and Water Conservation District.

BE IT FURTHER RESOLVED that the special tax established by this Resolution shall be submitted to the registered voters within Flood Control Zone No. 5 in the Special Election on March 3, 2015. The question submitted to the voters shall read substantially as follows:

Stinson Beach

To provide funding to: reduce riverine flooding risk for residents, visitors, and businesses; maintain natural creek functions; reduce sediment entering Bolinas Lagoon; and incorporate habitat enhancements for fish and wildlife, shall a special tax be levied within Zone 5 for 20 years in the amount of \$250.00 per year for improved parcels and \$50.00 per year for unimproved parcels?	YES
	NO

BE IT FURTHER RESOLVED that the special tax is for the specific purposes of providing increased flood protection for Marin County Flood Control Zone No. 5 by reducing riverine flooding risk for residents, visitors, and businesses; maintaining natural creek functions; reducing sediment entering Bolinas Lagoon; and incorporating habitat enhancements for fish and wildlife.

BE IT FURTHER RESOLVED that the proceeds for the special tax be applied only to the specific purposes stated above and subject to CEQA requirements prior to their implementation.

BE IT FURTHER RESOLVED that should the electorate approve the special tax, the proceeds shall be placed in a special fund to be used solely for the purposes stated above.

BE IT FURTHER RESOLVED that the Marin County Auditor as chief fiscal officer, pursuant to Water Code Section 68-7, is hereby directed to prepare an annual report pursuant to Government Code Section 50075.3. The chief fiscal officer shall receive actual necessary expenses in the performance of official duties performed pursuant to this resolution payable from the funds of the Marin County Flood Control and Water Conservation District.

BE IT FURTHER RESOLVED that this Board of Supervisors of the Marin County Flood Control and Water Conservation District hereby calls and orders a Special Election to be held on March 3, 2015 for the purpose of voting on a ballot measure to approve the special tax.

BE IT FURTHER RESOLVED that pursuant to the provisions of Elections Code Section 10002, the Board of Supervisors of the Marin County Flood Control and Water Conservation District hereby requests that the Registrar of Voters render all services necessary for the conduct of the election, which include the following matters: coordination of election precincts, polling places, voting booths, voting systems and election officers; printing and mailing of voter pamphlets; preparation of tabulation of result of votes cast. The costs of the ballot election shall be borne by the Board of Supervisors.

BE IT FURTHER RESOLVED that to the extent applicable, under Elections Code Section 10418, all proceedings related to, connected with, and incidental to the election shall be regulated and performed in accordance with the provisions of law regulating a statewide election.

BE IT FURTHER RESOLVED that the proclamation or notice of the election shall provide that Article 3 of Chapter 2 of Division 9 of the Elections Code (Section 9160 et seq.) relating to arguments concerning County measures applies and County Counsel is directed to prepare an impartial analysis.

BE IT FURTHER RESOLVED that the special tax shall be deemed established and shall be in effect beginning with the second half of the 2015-2016 fiscal year upon certification of the election results evidencing approval by at least two-thirds of the registered voters voting thereon. The special tax shall be null and void as of twelve o'clock midnight, June 30, 2036, and shall have no force and effect whatsoever after said time and date.

BE IT FURTHER RESOLVED that if any provision of this resolution or the application thereof to any person or circumstances is held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provisions or applications, and to this end the provisions or this resolution are declared to be severable. The Board of Supervisors of the Marin County Flood Control and Water Conservation District and the electorate, should it approve the special tax, do hereby declare that they would have adopted and approved this resolution and the special tax and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases, parts or portions thereof, be declared invalid or unconstitutional.

BE IT FURTHER RESOLVED that pursuant to Government Code Section 50077.5 and Code of Civil Procedure Section 860, any judicial action or proceeding to attack, review, set aside, or annul this special tax, if approved by the voters, shall be commenced within 60 days of the effective date of this resolution.

APPROVED AND ADOPTED at regular meeting of the Board of Supervisors of the Marin County Flood Control and Water Conservation District held on the 4th day of November 2014, by the following vote:

AYES: SUPERVISORS
Judy Arnold, Susan L. Adams, Steve Kinsey,
Katie Rice, Kathrin Sears

NOES: NONE

ABSENT: NONE

s/KATHRIN SEARS
President, Board of Supervisors
Marin County Flood Control
and Water Conservation District

ATTEST:
s/M.S. HYMEL
Clerk