

March 13, 2007

Board of Supervisors  
Marin County Flood Control and Water Conservation District  
Civic Center  
San Rafael, CA 94903

**SUBJECT: Resolution Accepting the Assessment Engineer's Report for a Storm Drainage Fee for Flood Zone 9 and Setting a Public Hearing Date 45 days hence**

Dear Board Members:

**RECOMMENDATION:** It is recommended that your Board accept the report, adopt the Resolution and schedule the public hearing for Tuesday, May 1, 2007.

**SUMMARY:** The Ross Valley Flood Control and Watershed Program is predicated on a unified, regional, multi-objective approach to finding effective and environmentally sensitive solutions to the flooding and watershed management issues in the Ross Valley. To move this program towards the goal of implementing projects, local funding is required.

Terrence Lowell and Associates have prepared a report, attached hereto, that explains the methodology used to determine the fees to be paid by individual parcel owners and gives a schedule of fees. Fees range from \$108 to \$180 for Single Family Residences. Authorization for the storm drainage system fee is provided for in the State Health and Safety Code, Sections 5470-5474.10.

The law firm of Orrick, Herrington and Sutcliffe has written the attached Resolution and Exhibit A which sets forth compliance with the requirements of the state constitution with respect to conducting a mail ballot. State constitutional requirements in this regard were established by "Proposition 218", passed by California voters in November, 1996. Exhibit A gives the details of the Hearing and Written Protest process as required by law.

By your approval of the attached resolution, your Board is:  
(1) accepting, and thereby authorizing, the Assessment Engineer's recommendation for the schedule of fees to be paid by Ross Valley parcel owners and the mail ballot method; (2) setting the date for the Protest Hearing, as required by State law, for May 1, 2007 at 11 AM; and (3) charging County staff to mail the required Notice of Hearing to all parcel owners in Flood Zone 9-Ross Valley.

**FINANCIAL IMPACT:** Printing and mailing costs have been funded by contributions from the four municipalities in the Ross Valley and the County Flood Control District.

<b>REVIEWED BY:</b>	<input type="checkbox"/>	Auditor Controller	<input checked="" type="checkbox"/>	N/A
	<input checked="" type="checkbox"/>	County Counsel	<input type="checkbox"/>	N/A
	<input type="checkbox"/>	Human Resources	<input checked="" type="checkbox"/>	N/A

Very truly yours,

Tracy Clay  
Senior Civil Engineer

C: Farhad Mansourian  
Robert Beaumont  
Town Administrator of San Anselmo  
Town Manager of Fairfax  
Town Manager of the City of Larkspur  
Town Manager of Ross  
Directors of Public Works of Fairfax, Larkspur, Ross, and San Anselmo  
Flood Zone 9 Advisory Board Members  
Kentfield Planning Advisory Board  
Friends of Corte Madera Creek  
Flood Mitigation League of the Ross Valley

**Attachments:**

1. Resolution
2. Storm Drainage Fee Report by Terrence Lowell and Associates
3. Exhibit A – Procedures for Mailed and Published Notices