

**MINUTES OF THE  
FLOOD CONTROL ZONE SEVEN ADVISORY BOARD MEETING  
HELD TUESDAY, JUNE 17<sup>TH</sup>, 2008,  
SANTA VENETIA KOREAN PRESBYTERIAN CHURCH  
635 ADRIAN WAY SAN RAFAEL, CA**

**Board Members Present**

Art Reichert, Chair  
Evan Marks, Vice-Chair  
Jeff Krupnick  
Tim Ribble  
Robert Dobrin

**District Staff Present**

Tracy Clay  
Timotheus Hampton

**Board Members Absent**

**Others**

The following minutes are a summary, created by Staff, of the Flood Control Zone 7 Advisory Board (AB) meeting.

**ITEM 1. Approval of Minutes: January 15, 2008**

**M/S EM/TR:** Approval of the minutes of the January 15, 2008 meeting, as written with no amendments.

***Ayes:*** All

***Nay:*** None

***Abstain:*** None

**ITEM 2. Open Time for Items Not on the Agenda**

The following comments were made during open time:

- A. Mr. Hugo Phillips made an inquiry regarding the status of the redwood box levee inspection. Staff stated that the inspections were near completion and that all necessary repairs would begin in July.
- B. AB Chairman, Art Reichert (AR), inquired about the status of pump station #4 alarm system. Staff stated that there was no new information available.
- C. Mr. Warren Uhte made an oral presentation & provided a written report on sea-level rise.
- D. AR requested that staff agendize the status of the Watershed Management Program for all future AB meetings.

**ITEM 3. Zone 7 Budget FY 2008-2009**

Staff presented the FY 2008-09 Budget.

- A. Staff noted that budget reports provided to Department of Public Works (DPW) from the County Auditors Office, indicated that "Beginning Fund Balance" is 324,751 and is shown on the proposed flood control budget. However, staff pointed out that this is approximately \$450,000 less than they expected and that they are currently working with DPW's Accounting Division and the County Auditor to explain the difference.

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- B. Staff noted that even though there is uncertainty about the current starting balance it is important to discuss the budget to obtain the AB recommendations on proposed expenditures prior to Board of Supervisors (BOS) approval of Zone budget in July.
- C. Staff answered several questions regarding FY 2008-09 budgeted expenditures from the AB.
- D. The AB requested that staff provide loan details for Pump Station #1 and data to validate that it would be cheaper to replace Pump Station # 5 discharge pipes using county employees vs. a private contractor.

**M/S JK/AR:** to recommend approval of the FY 2008-09 Budget.

**Ayes:** JK, AR, & TR

**Nay:** EM & RD

**Abstain:** None

**M/S JK/AR:** to send a letter to Supervisor Adams.

**Ayes:** All

**Nay:** None

**Abstain:** None

**ITEM 4. Maintenance Update**

Staff reviewed the Maintenance Update as provided in the 6/17 STAFF REPORT.

**ITEM 5. Pump Stations #6 & #2**

See summary in 6/17 STAFF REPORT. Staff reported that a Request for Proposal was being developed for engineering & environmental services to hire a consultant to design both projects & comply with CEQA. The AB discussed with Staff potential effectiveness of the alternatives developed for Estancia Way and how a project would be funded. The AB also stated that residents from Estancia Way should have been consulted in the development of the PS#6 Project Study Report because there may be some type of underground stream that increases stormwater runoff. Additionally, the AB noted that PS#2 was a higher funding priority than PS#6.

**ITEM 6. Las Gallinas Creek Levee FCSA & PMP**

Staff outlined the project status as outlined in the 6/17 STAFF REPORT.

**ITEM 7. Review of Culvert Capacity Study**

This item was placed on the agenda by AR. He requested that staff explain why "old data was used" for the Culvert Capacity Study presented to the AB on October 23, 2007. Staff informed the AB that the Design Hydrology used was based on best available data and current engineering practices.

**ITEM 8. Discussion of Advisory Board Input into Scope of Projects**

Advisory Board members expressed their desire to be more involved in project development and review.

**ITEM 9. Discuss Request for Information**

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This item was placed on the agenda by Art Reichert. He requested that staff explain why the Zone would have to pay for the Public Records Request for Zone 7 records. Staff reported that all work performed on behalf of Zone 7 is paid for by the Zone.

**ITEM 10. Schedule next meeting**

Staff will schedule the next Zone 7 meeting to coincide with the presentation of the Watershed Stewardship Plan - Existing Conditions Report for Zone 7.

Meeting was adjourned.

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Letter referenced in Item 3:

June 24, 2008

Mr. Farhad Mansourian, Director of Public Works  
County of Marin  
San Rafael, CA 94903

RESPOND  
RECEIVED  
JUN 30 2008  
MARIN COUNTY PUBLIC WORKS

Here is a copy, for your convenience, of my talk from yesterday and the 6 points that Supv. Kinsey asked you to respond to. My intent here, as I mentioned, is to be a good steward of our Zone's funds and to ensure that we are getting the most possible from them.



Art Reichert  
Chair, FCZ 7 AB

6/24/2008 presentation to BOS

Hello, my name is Art Reichert, I'm the Chair of Flood Control Zone 7 Advisory Board (AB), which is Santa Venetia. I've been on the AB for about 8 yrs and have been attending AB meetings for the last 15 years. I have an MBA degree and worked as an auditor for 15 yrs, doing financial, operational & IT audits. Today, I want to speak to you as a former auditor.

First, I want to acknowledge Susan's support. She has spent a lot of time working with me and supporting our flood control initiatives.

The reason I'm so concerned about the finances of our Zone is that we have between \$15 and 20 million of flood control improvements (by DPW's estimate) that are overdue. We assess ourselves \$265 / yr for flood control, and we've worked diligently to accumulate a small surplus over the years. We are - and we have to be - very concerned about where and how our money is spent.

As a member of the AB, working with staff and DPW, I see so many things that just don't seem right. ... these are red flags to a good auditor. In the few minutes I'm allowed here today, I'd like to pose some questions to you.

1. During the recent CWP hearings, the AB drafted a letter to the Community Development Agency. We had comments pertaining to flood control & watershed issues in our Zone. Why did Staff and Farhad dig in their heels and tell us we couldn't communicate directly to other depts?
2. Last night I sent all of you an email with a letter the AB approved & sent to DPW, listing our concerns with a study of the Estancia ditch. Briefly, the AB is concerned that work proposed to repair problems with the road and street drains would be charged to the Zone. There is no time now to discuss the details, so please read the email.
3. At last week's AB meeting we were presented with an 08-09 budget opening balance short by \$454,000. (Should be at least \$778,000). Staff, to their credit, knew this was wrong and is investigating. a) Why was a budget this far off even presented to us? b) What other budget inaccuracies might be out there?

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4. Last fiscal year we were charged \$20,000 to evaluate corrosion on the discharge pipes (from PS #5). These are above ground, severely rusted steel pipes. a) Did it really cost DPW \$20,000 to evaluate the condition of these pipes? b) Why did we get billed, separately, \$20K to have them tell us the pipes are badly corroded when we were already paying \$113,000 for Staff salaries? Are we being double-billed?

5. In this year's budget, we are being charged \$100,000 to replace those pipes. AB members (2 who are contractors) thought this was extreme and we discussed this at length with staff...but we were told emphatically that there will be no competitive bid. \$100,000 to our zone is a big project. Why can't we get competitive bids on such projects?

6. Staff has informed us that DPW want to charge our Zone \$9K to satisfy a Public Records Request submitted by a citizen from SV. Why does the flood zone have to pay for this?

Those are my concerns & questions. Since you are responsible for overseeing the County's flood control activities, what you decide to do about this is up to you. As a former auditor, my recommendation would be – authorize an independent audit of the financial records of Zone 7, and go back 3 years. Just do the basics: match vendor payments to invoices, trace charges to the Zone back to the supporting DPW timesheets, and see that those charges – and those charges only - are accurately reflected in the budget sub-accounts.

In short, we would like to see a system of checks and balances that works. Regular audits should be a part of that system. And we would like to see all Zone 7 projects put out for competitive bids.

Art Reichert  
Chair, FCZ 7 AB