

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The city attorney has prepared the following title and summary of the chief purpose and points of the proposed measure.

BALLOT TITLE Withdrawal of San Anselmo from Flood District Initiative.

Introduction. If approved by voters, this initiative would withdraw parcels in the Town of San Anselmo (“Town”) from the Marin County Flood Control and Water Conservation District (“District”). Under State law, a majority of Town voters voting on the initiative can approve the withdrawal.

The Initiative. This initiative, if approved by a majority of voters, would withdraw all land in the Town from the District. State law provides that withdrawal will not release that land from the duty to pay fees to fund debts and obligations the District becomes responsible for before the withdrawal.

Background. The State Legislature created the District in 1953 to control flood and storm waters and to conserve water for use when practicable. The Town withdrew from the District in 1971, before rejoining in 2006. In 2007 the District imposed a storm drainage fee on property in the Ross Valley, which the District designated as Zone 9, including the Town. That fee ends on June 30, 2027.

Initiative states that it is consistent with the Town’s General Plan and that it will control over any conflicting measure on the same ballot which gets fewer votes. It would take effect 10 days after the Town Council declares the election result. The initiative states that only voters can amend or repeal the initiative and directs the Town Council to implement it pursuant to State law.

To the Town Council of San Anselmo: We, the undersigned registered qualified voters of the Town of San Anselmo hereby propose this initiative as shown on the reverse side of this page to withdraw parcels in the Town of San Anselmo from the Marin County Flood Control and Water Conservation District and ask that you submit it to the voters of the Town at an election.

SIGNER: Please fill in all information by hand in ink. Use only ball point pens. No ditto marks. No abbreviations. No P.O. Boxes.

TOWN OF SAN ANSELMO Register Voters Only

SAN ANSELMO REGISTERED VOTERS ONLY	NOTICE TO THE PUBLIC: THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK.	THIS COLUMN FOR OFFICIAL USE ONLY
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1	SIGNATURE AS REGISTERED TO VOTE _____ RESIDENCE ADDRESS (NO P.O. BOX OR RURAL RT.) _____ PRINT YOUR NAME _____ CITY _____ ZIP _____	
2	SIGNATURE AS REGISTERED TO VOTE _____ RESIDENCE ADDRESS (NO P.O. BOX OR RURAL RT.) _____ PRINT YOUR NAME _____ CITY _____ ZIP _____	
3	SIGNATURE AS REGISTERED TO VOTE _____ RESIDENCE ADDRESS (NO P.O. BOX OR RURAL RT.) _____ PRINT YOUR NAME _____ CITY _____ ZIP _____	
4	SIGNATURE AS REGISTERED TO VOTE _____ RESIDENCE ADDRESS (NO P.O. BOX OR RURAL RT.) _____ PRINT YOUR NAME _____ CITY _____ ZIP _____	
5	SIGNATURE AS REGISTERED TO VOTE _____ RESIDENCE ADDRESS (NO P.O. BOX OR RURAL RT.) _____ PRINT YOUR NAME _____ CITY _____ ZIP _____	
6	SIGNATURE AS REGISTERED TO VOTE _____ RESIDENCE ADDRESS (NO P.O. BOX OR RURAL RT.) _____ PRINT YOUR NAME _____ CITY _____ ZIP _____	
7	SIGNATURE AS REGISTERED TO VOTE _____ RESIDENCE ADDRESS (NO P.O. BOX OR RURAL RT.) _____ PRINT YOUR NAME _____ CITY _____ ZIP _____	
8	SIGNATURE AS REGISTERED TO VOTE _____ RESIDENCE ADDRESS (NO P.O. BOX OR RURAL RT.) _____ PRINT YOUR NAME _____ CITY _____ ZIP _____	

CIRCULATOR: All 8 signature spaces do not need to be completed for this petition to be valid.

DECLARATION OF CIRCULATOR

(to be completed in circulator’s own hand after the above signatures have been obtained)

I, _____ am registered to vote in the County (or City and County) of _____

or am qualified to register to vote in California. My residence address is _____

I circulated this section of the petition and witnessed each of the appended signatures being written. Each signature of this petition is, to the best of my information and belief, the genuine signature of the person whose name it purports to be.

All signatures on this document were obtained between the dates of _____ and _____.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _____, _____, at _____.

(complete signature indicating full name of circulator)

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Notice of Intent to Circulate Petition

Notice is hereby given by the persons whose names appear below of their intention to circulate the petition within the Town of San Anselmo, California, for the purpose of enacting an initiative to modify the Town’s boundaries of the lands that comprise its participation in the Marin County Flood Control and Water Conservation District Flood Control Zone No. 9.

Diana Davis
108 Madrone
San Anselmo, CA 94960

David Bohn
108 Madrone
San Anselmo CA 94960

Ross Asselstine
1365 San Anselmo Ave
San Anselmo CA 94960

A statement of the reasons for the proposed action as contemplated in the petition is as follows:

WITHDRAWAL OF SAN ANSELMO FROM FLOOD DISTRICT INITIATIVE.

Be it Ordained by the People of the Town of San Anselmo:

SECTION I. TITLE This measure shall be known and may be cited as the “Withdrawal of San Anselmo from Flood District Initiative (the “Initiative”).

SECTION II. FINDINGS AND PURPOSES.

A. Purposes. The purpose of the Initiative is to preserve and enable the rights of San Anselmo citizens to collectively control the decision of whether parcels within the Town of San Anselmo will be a part of Flood Zone 9. To accomplish this objective, the Initiative provides for a public vote on the subject of Withdrawal from Flood Zone 9 of Marin County California.

1..The Initiative provides the opportunity for citizens to vote in accordance with **Clause 68-26.1 Withdrawal of Territory** of the Marin County Flood Control and Water Conservation Act of 1953, which states in part:

68-26.1. Withdrawal of territory

Notwithstanding any provisions of this act to the contrary, the withdrawal of all the area lying within the exterior boundaries of any chartered or incorporated city from the district may be effected by the vote of a majority of the qualified electors of said city voting at any regular or special election on the proposition to withdraw the area lying within such city from the district. Said election shall in all particulars be held as provided by law for holding a municipal election in said city and the cost thereof shall be a city charge.

The city council shall cause the results of the election to be certified to the board of supervisors of the district and if a majority of the votes cast on the proposition to withdraw such area from the district are in favor thereof, thereupon the area lying within the exterior boundaries of such city shall no longer be a part of the district; provided, however, that the withdrawal of the area lying within the exterior boundaries of such city from the district shall not release the area so withdrawn from debts and obligations for or upon which it was liable or chargeable at the time such withdrawal was made; provided further, however, that any portion of a city which prior to its withdrawal from the district was included within the Page 15 boundaries of a flood control zone shall remain subject to taxes for the maintenance of improvements constructed within such zone prior to the

withdrawal of the city from the district.

B. Findings and Declarations: The people of the Town of San Anselmo hereby find and declare the following

1.The Marin County Flood Control and Water Conservation District Zone 9 has failed to find feasible methods to significantly mitigate major flooding, property loss by floods, flood insurance obligations or disruption caused by major flooding events.

2. Based on a vote of a majority of qualified electors, the Town of San Anselmo hereby withdraws all parcels within the Town of San Anselmo from Marin County Flood Control and Water Conservation District Zone.

SECTION IV. FINDINGS OF CONSISTENCY.

A. This measure is consistent with and would promote the intent of the Marin County Flood Control and Water Conservation Act of 1953.

B. The Initiative is not inconsistent with the General Plan, which does not require San Anselmo to Participate in Flood Zone 9.