

BEL MARIN KEYS COMMUNITY SERVICES DISTRICT

Regular Board of Directors Meeting Notice

Location: Bel Marin Keys Community Center, 4 Montego Key, Novato, CA 94949

Date: Thursday, March 16, 2017

MINUTES

Directors:

Darrick Chase, President

Vince Lattanzio, Vice-President

Cheryl Furst

Mercy Angelopulos

Mark Montobbio

- I. **Call to Order, Please Turn Off Your Cell Phones (approximately 7:30pm): 7:32pm**
- II. **Pledge of Allegiance:**
- III. **Roll Call: Present-Lattanzio, Angelopulos, Montobbio, Furst Absent: Chase**
- IV. **Agenda Approval:** Agenda approved as presented

- V. **Approval of Minutes**
 - **MOTION to approve the minutes from the Regular Board Meeting of February 16, 2017 with corrections noted to page 4 paragraph 5 to read "*impacts to the wildlife*".**
 - M/S: Lattanzio, Angelopulos**
 - Vote: Ayes-Lattanzio, Furst, Montobbio Abstain: Angelopulos Absent: Chase**

- VI. **Open Forum (please observe a three-minute time limit):** no comments

- VII. **District Managers Report**

-The Conservation Corp is hosting an e-waste Drive on Saturday, March 18th from 9am-2pm at 11 Pimentel Court; this is free event for residents.

-Received a call from Mark Van Gorder, Pacific Gas and Electric (PG&E) with regard to repainting the tower at Cavalla Cay Park which has been identified as having lead base paint and part of this year's program is to remove paint from all electric transmission towers and repainted with an acrylic paint. A notice will be sent to neighbors with a timeline for the work to begin. Two questions which he has yet to respond to are: what best management practices will be use when chipping away the pain to ensure it does not enter the waterways, and will power be down.

- A meeting has been set for Friday, March 24th with the Deborah Smith, Investment Manager at Bank of Marin. We have maturities coming due in May, July and October. And those have been earmarked to not be reinvested as they will be used for the lagoon dredge project.

- The annual Statement of Facts has been submitted to the Secretary of State and a copy was submitted to the County of Marin. The 700 Forms are also to be submitted to the County by April 1st.

- The County Board of Supervisors will be voting on the implementation of Special Districts request for future elections to be moved from odd to even-numbered years at their March 21st meeting.

VIII. District Engineering, CLE

A. South Lagoon Levee Project Updated

Mr. Parent noted that the work that remains to be completed is slated for May 1st, and will have no impact to the lagoon levels.

B. Novato Creek/County of Marin

The Creek has cause a lot of issues for the last six weeks and the County is looking at possibly dredging. Mr. Parent reached out to Mr. Leventhal and told him the District will be dredging the North Lagoon and there is space in the Dredge Material Management Site to coordinate those efforts.

C. North Lagoon Dredging

1. Update on permitting

We will be going with the nationwide permit, which is good for five (5) years, does not give us 10-15 years but cost savings are significant to be able to do the bio analysis and puts us on track for dredging this fall. The dredge is minimal impact to the community which is basically a spot dredge in front of the lock and taking most of the material from the lagoon via hydraulic dredge.

D. Storm Drain Maintenance Issue at 166/170 Del Oro Lagoon

That is still being looked at.

E. Montego Park/ Measure A update

Mr. Parent noted that the re-design will be presented via PowerPoint. Mr. MacDonald noted that the plan was revisited given the conditions with the flooding event. The park flooded five times and no impact to the neighbors. The berm has been revised from nine (9) feet to ten (10) feet and the water elevation that came in was about 8.5-9 feet. There was revisions to the number of discharges points, from three to one, due to permitting and cost and added a pump. The plans are anticipated to be provided in April and construction in early summer or fall of this year.

Vice-President Lattanzio asked if material for the berm could be used from the DMMS and save some cost and not import fill. Mr. Parent noted that that could be an alternative and an option for the contractor.

Vice-President Lattanzio asked if an analysis has been made that proves rising the berm will not cause flooding to adjacent properties? Mr. MacDonald noted that, that is something that was taken into consideration and the water that would enter a neighbor

would be tidal influence and find the lowest point. Mr. Parent noted that rather than reengineer grading of park and we are embrace the fact that the park floods and the berm would keep tidal water out, and then manage the rain water with the pump while still maintaining a natural flood plain and to include the new irrigation plan. Mr. Parent noted the project will be funded in majority by the general Operating and Measure A will put in about \$120,000. The other parks will then be funded as monies are coming in through the life of the measure. The tennis court is design build and the furnishing to be supplied by the owner.

****MOTION to approve the park to move forward and bid packet to be presented at the April meeting for construction to begin in early summer.**

M/S: Lattanzio, Furst

The Board asked to move the project to early summer (June/July) to get it going to allow for the dry season, the duration of the project is two months and will the park will be shut down for that duration.

Vote: Ayes- Lattanzio, Furst, Montobbio Abstain: Angelopulos Absent: Chase

F. Update on CUPCAA and District Implementation

Will be sending out a revised form the contractors on our data base and update on the District website. We have 25 contractors that have submitted. Vice-President Lattanzio asked if that could be advertized on the trade journals in Sonoma and Marin County.

G. Website Development Update

The live version is expected to launch April 1st, and have received good feedback from beta testers.

H. Bay Planning Coalition-Recreational Boating in Northern California Update

Mr. MacDonald noted that he attended the seminar which addressed abandoned vessels and avenues to remove from waterways. He noted it all depends on jurisdiction, in our case the Marin County Sheriff, and how they want to address the issue and programs in place. Mc. MacDonald will be contacting the Sherriff's Department and what program are in place and how they can assist residents who have derelict boats and may not have the means to address the vessel or damaged docks as well.

IX. Waterways Manager Update

A. North Navigation Lock

1. Hydraulic System Repair Update-Mr. Cormier noted the system is up and ruining and no issues.

B. South Navigation Lock

1. Coatings Update
2. No permit required-waiting for better weather and regulatory agencies have agreed that no permit is required.

C. Buoy and Navigation Marker Update

Mr. Cormier will be addressing buoys which may be out of line and bringing them back in line with the mapped out survey completed last year with offset requirements.

D. Flushing/Flood Control Update

****MOTION to approve 100 hours expended for storm water management to date.**

M/S: Lattanzio, Montobbio

Mr. Cormier noted that for the past six (6) weeks he has been actively monitoring the storm and managing water levels in the lagoons. It was unforeseen how much rain we received and continue to receive.

Vote: Ayes- Angelopulos, Montobbio, Lattanzio, Furst

E. Water Quality Update

Mr. Cormier noted that the salinity is low and have not been doing exchange of water given the condition of the creek and all the water runoff, and finally the tides have begun to return to normal.

F. Box Culvert Gates Update

1. Gates have been delivered and no permits are required. Site work was performed today to expose the gates on the creek side. Notice will be sent to eight (8) contractors who have signed up with the District.

G. CSD Workboat Update- work to be done mid to late April

H. Boat Ramp Security Gates Update-no update

X. Park and Open Space Maintenance

A. Tree removal update-Two out of the three trees have been addressed and will continue to monitor the trees in other open spaces.

XI. New Business

A. Supreme Court Rules Private Email Accounts Subject to California Public Records Act

The District Manger noted that on March 2nd, the California Supreme Court decided a landmark case concerning the California Public Records Act, which impacts emails- and text messages used by employees. Under this new rule private email are now subject to public records if they are containing information relating to the conduct of the District business whether the device used is not property of the entity. As a result of this new rule the District will be now only be using District emails as means of communication and no private emails. This rule currently only affects District employees not Board members, however, that is still being reviewed.

XII. Old Business

A. City of Novato Re-Zoning Industrial Park Update

The District Manager noted that BioMarin declined the invitation to meet with the Board at the next Board meeting and would ask the City of Novato for community meeting in late

spring, they noted that BioMarin has no project. The Board noted that a notice need to be sent to BioMarin and let them know the Board is not in support of a community city wide meeting with the City prior to meeting with the BMK community and Hamilton and addressing concerns such as lack of transparency and lack of communication. And request a FOIA for any communication between BioMarin and the City of Novato.

B. Use of the Community Center: Bel Marin Keys Anglers Club

The District Manager noted that included in the Board packages was the email correspondence between Mr. Bartnicki and herself and no one on one meeting was held with regard to the open items on this matter. She noted that the outstanding items are the liability insurance and who is to submit that insurance, clean up, food handler's certificate and alcohol license. She noted although this club is open to minors only 21 and over will be allowed to attend their meeting in the building. The time of use and wanting to be similar to the Men's and Women's Club, the men and women meet during the day not in the evening, therefore, that new club will be more in line with the yacht Club and what they do. During the day the District Manager or office staff is present.

Vice-President Lattanzio noted that the Yacht Club has liability insurance and a 501.3C standing unless they can't submit that then they can pay for the rental and pay for the monitor who sits here in the evening for any other event.

Ms. Shorten addressed the Board and noted the assumption was that the email exchange would be what was needed to get this club moving. The District Manager noted that no answers have been submitted to the open items and the Board asked to have that submitted at the last meeting along with the roster of the membership. She noted that the club wants to be flexible and work with its members and what works best for them and work around the issues.

Vice-President asked for the insurance plan and who would submit that liability insurance and noted that this is not different then a rental, except there will be no hourly fee, however, they will be subject to clean-up and insurance and alcohol license.

Ms. Shorten noted that no one wants to hold the insurance and more in line with the women's club not the Yacht Club. Vice-President Lattanzio noted that the time of use is what is different and not opposed to a community use club and show resident benefit by providing a roster.

Ms. Shorten noted that the next step is to talk to Noemi, reach out to the Yacht Club for the insurance and hosting liquor, and then in April in business and provide a membership roster.

The Board noted that the use of the community is welcomed, however, will need to be careful with the liability.

XIII. Hamilton Sports Complex Update

Vice-President Lattanzio meeting next Tuesday with Mrs. Eklund and Mrs. Drew to go over the idea of a preserve and support for this project.

XIV. Sub-Committees

- A. Emergency Response Team (ERT) Update-meeting is being scheduled for April 11th.

XV. Financials

- A. Review and approval the draft Audit for fiscal year 2015/2016

****MOTION to approve the 2015-2016 Audit.**

M/S: Lattanzio, Montobbio

Vote: Ayes-Angelopulos, Montobbio, Lattanzio, Furst

Absent: Chase

XVI. Updates on Projects of Interest

- A. State Coastal Conservancy (SCC), Hamilton and BMK V Wetlands Projects
Received an update date for the construction is anticipated to begin in spring of 2018. The Board asked for more information on the estimated time of construction and responsibility for levee maintenance.
- B. Bay Trail-no update
- C. Pacheco Pond-no Update
- D. City of Novato Residential Development at Hamilton
This item was placed in the agenda given the proposed high-density residential development and impacts that development may have should this project move forward.

XVI. Adjournment

****MOTION: To adjourn the Board Meeting of March 16, 2017**

M/S: Lattanzio, Montobbio

Vote: Ayes-Lattanzio, Montobbio, Furst, Angelopulos

Absent: Chase

Next regular meeting date: Thursday, April 20, 2017, 7:30PM, at the Bel Marin Keys Community Center, 4 Montego Key, Novato, CA.

Meeting adjourned at 9:30pm