

BEL MARIN KEYS COMMUNITY SERVICES DISTRICT  
Regular Board of Directors Meeting

**MINUTES**

Thursday, July 17, 2014

**Directors:**

Darrick Chase, President  
Vince Lattanzio, Vice-President  
Ernie Ganas  
Ruth Simpson  
Mark Montobbio

- I. **Call to Order (PLEASE TURN OFF CELL PHONES): 7:30pm**
- II. **Pledge to the Flag**
- III. **Roll Call: Chase, Montobbio, Lattanzio, Simpson** **Absent: Ganas**
- IV. **Approval of Minutes**
  - \*\*MOTION to approve minutes from the Regular Board meeting of June 19, 2014**
  - M/S: Chase, Montobbio**
  - Vote: Ayes- Chase, Montobbio, Simpson** **Abstain; Lattanzio** **Absent: Ganas**
  
  - \*\*MOTION to approve minutes from the Special Board meeting of July 3, 2014**
  - M/S: Chase, Lattanzio**
  - Vote: Ayes- Chase, Montobbio, Lattanzio** **Abstain: Simpson** **Absent: Ganas**
- V. **Presentation and discussion of the proposal to refinance Special Tax Bonds.**

Mr. Chris Lynch, Jones Hall, addressed the Board and provided some background to the audience with regard to the District's opportunity to refinance its 2004 Mello Roos Special tax Bonds, which will generate approximately \$792,000 for expenditures on needed marine infrastructure improvements. Attached to the staff report was a report from the Districts engineer (CLE) which describes a number of projects that are considered to be crucial for marine improvements such as the levees.

Vice-president Lattanzio noted that the projects outlined are scheduled to be performed in the next three (3) to four (4) years and this will be done without going out for new taxes.

Mr. Lynch noted that the District is authorized to levee new taxes to pay for new capital projects without going for voter approval. The new loan will be set at a rate of 2.64% and will not require the District to maintain a debt service reserve fund. This will allow the District to use a portion of the amount currently in the deposits in the debt service funds to pay down the Bonds and deposit the balance in a project fund. The loan documents will be presented to the Board for its approval at a special meeting on August 14<sup>th</sup> and redeemed on September 1, 2014.
- VI. **District Managers Report**

-On July 15, 2014 we will receive \$10,902.25 from the county for the balance of our taxes. The amount for both bonds is \$5,282.43 which constitutes 100% of the special tax for the bonds. As soon as the money has been received, it will be wired transfer it to the BNY for the September 1,

2014 payment to the bond holders. \$2,058.60 will be deposited to our operating savings account and \$3,561.22 is our parcel tax "D" and it will be deposited to our Waterways saving account.

-We received this fiscal year \$50,879 ERAF Funds. This is the most we have received since I have been working here. The District has received \$25,141.71 for Measure "A" disbursements.

-We have been notified by the State of California Controllers office, Budget Act of 2014, the State has appropriated \$100 Million out of \$900 million owed to Special District and Counties for the mandated services required by the state. We will receive \$6759 for services rendered before 2004. In 2010 our office filed a claim to the state in the amount of \$30,000 for the years of 2005 to 2010.

-The bond refinancing staff report has been put on our Website and we have emailed it to many of the residents here in Bel Marin Keys.

-The Ranger from Stafford Lake called on July 8<sup>th</sup> to report that people on Motocross bikes are on our property next to parcel 8. I told him they enter our dredge site via the County's property to riding their bikes. He said he would call the Sheriff; I would call the sheriff as well, and have not heard from the Ranger or the Sheriff's department to see if anyone was caught on the property. I was told that Ms. Dahl of the County Parks Department is aware of the problem and knows of our concerns, and that she has stated that the county has no plans for Parcel 8 at this time. The rangers will be out the week of July 14<sup>th</sup> to redo the fence line to have no access from the road and install sign stating area closed." We have asked that he stop by the office once the work has been completed.

## **VII. District Engineering, CLE**

### **A. Novato Creek Watershed Stewardship Program Update**

Mr. Parent noted that a newsletter was sent out by the County and will incorporate item E (Pacheco Pond), for the County have acknowledged that they are putting together a final plan. The final plans are in conjunction with California Fish and Wildlife relative to Pacheco pond and getting an agreement together for the end of the year as to management of the pond. The technical working group anticipates getting the group together in September and is waiting for the H and H study which has not yet been finalized.

### **B. North Lagoon survey**

Mr. Parent is waiting on final volumes for material and have asked to take a look at material in front of the sluice gates, for we've had an enormous amount of buildup and the Waterways Manager has been challenged with not being able to move said material in an non-rain environment and continue to gain material in that particular location. When we looking at the North Lagoon he will be looking at cleanup the sluice gates. The preliminary cost estimate has been include in the bond staff report and noted that the overall yards to remove from the North Lagoon is estimated at about 17,500 yard and include the preliminary numbers in the sluice gates and 12,500 yards within the lagoon and those areas have yet to be identified.

**Director Ganas joined the meeting at 7:45pm**

**C. South Lagoon Levee Update**

The preliminary cost has been included in the staff bond report.

**D. FEMA FIRM Map Update**

Provided a brief update to the residents in attendance at the meeting with regard to the new elevations and map to come into effect in 2015.

**E. Pacheco Pond Update** -discussed under item A

**F. License Plate Cameras**

Mr. Parent noted that an effort was put forth to look at a low cost alternative to put a license plate camera and had a vendor come out and install a unit if it worked we would move forward, equipment was out here for a month and data was not useful and equipment pulled out. There is and expressed interest in getting a unit as technology has advanced and maybe able to find something that is within the District's budget and yield results.

The Board directed Mr. Parent to move forward and look at new technology and report back to the Board.

**VIII. Waterways Manager Update**

**A. Lagoon Water Quality**

Mr. Cormier noted that water samples will be taken the week of July 21<sup>st</sup>.

**B. Aquatic vegetation**

The granular oxidizer which was applied to the North lagoon has eliminated the current algae bloom and additional material is on hand. The Codium Fragile (Dead Man's Finger) appears to be dying off on the South Lagoon and have also applied muck away and will monitor and apply as needed.

**C. Update on Flushing**

Flushing will be performed on the week on July 21<sup>st</sup>.

**D. Buoy: Navigation marker replacement**

Thirty (30) new buoys will be installed the week on July 21<sup>st</sup>.

**E. Update on North Lock Maintenance**

the monthly maintenance was performed and the new six (6) multi directional valves will be replaced and the lock will be closed for approximately six (6) hours. The funding will be under Measure D and was approved under the Measure D budget in May 2014.

**F. Update on South Lock Maintenance**

The monthly maintenance was performed and no issue reported.

## **G. Sunset Lagoon Ski run update**

Mr. Cormier noted that prior to the levee repair in 2006 the ski area was reduced and showed the same location to where the current ski run is. Once the levee was repaired the ski run was pushed back. The office has received a number of complaints with skiers not staying within the buoys and skiing in the No Wake Zones. We have tried to do a number of things like changing the direction of the ski run, putting a signs out of the ski area and have not come to a good meeting in that area. At the last Board meeting of June 19, 2014, the Board approved the relocation of the ski run putting it back to where it was in pre-levee construction. Mr. Cormier noted that he is currently looking at the area overall with the offsets from the shoreline and what can be done and how far we can pull it down and still create a safe ski turning area that focuses the wave energy on the levee. He also noted that the Marin County Sheriff has been out and has been enforcing the current No Wake Zones.

Vice-President Lattanzio noted that we are looking all ski area getting an expert opinion as to what is the safe and maximize the area. He noted that being a responsible boat owner means watching your wake and looking at the damage done by said wake.

Mr. Cormier clarified that that at this point focus on the sunset lagoon area and get an analysis of how far we can take this within a safe responsible manner.

Director Ganas noted the all boaters are responsible for their own wake.

Director Montobbio noted that residents need to inform their neighbors if they are not following the rules for one of the nice things about living here is having the ability to ski and may not be able to do so anymore.

Resident expressed their discontent with the ski run reduction and noted that it has created a biggest safety issue and the sign that is currently there should not be in the water as it creates a liability if a skier hits that sign. They also noted that a number of residents moved to Bel Marin for the waterfront lifestyle and being able to ski, and now that is being taken away, and a number of docks currently out in that lagoon are old and have not been kept up. They expressed concerned with the lack of communications and the decision that was made at the last Board meeting and demanded that the ski course be put back right away prior to the consultant coming out onsite so they could enjoy skiing before the summer was over and their children went back to school.

The Board noted residents concerns and relayed that this was not an action item on the agenda and no decision was going to be made at this Board meeting; rather once the consultant was able to visit the site and review the ski area and what we have to work with, a special meeting would be called to address the findings. A notice of the special meeting would be posted on the marquee and agenda would be email to the participating residents in the meeting should they wish to sign up for email distribution list.

## **H. Landscape Maintenance Contract review**

### **A. Approval of Draft Landscape Maintenance Specification Contract**

The Administrative Assistant noted that the current landscape contract will be terminated on September 30, 2014 and will be soliciting new proposals for the District has used the same company since 2008. Have reached out to a number of interested parties and they are waiting the final bid contract documents. The anticipated notice of award is September 23, 2014. A site walk will be schedule for sometime in August and bids due in September.

**\*\*MOTION to approve the Landscape Maintenance Contract documents.**

**M/S: Lattanzio, Chase**

Vice-President Lattanzio noted that included in the contract documents and specifications there needs to be indicated the use bleach to clean tools in order to avoid passing on any type of disease when pruning.

**Vote: Ayes- Montobbio, Simpson, Ganas, Chase, Lattanzio**

**IX. Financials**

- A. Begin closing out fiscal year 2013-14 and audit work to begin August 26<sup>th</sup>.

**X. Updates on Projects of Interest**

- A. **State Coastal Conservancy (SCC), Hamilton and BMK V Wetlands Project-** no update
- B. **8 Acre Parcel: Marin County Parks-** no update
- C. **Bay Trail**

The signs that were put up to tell people where the "Hamilton Trail" starts have been taken down and I don't know by whom. Previously I spoke with Elizabeth, Brahma Kumaris, who informed me that people had been crossing their property and it was creating a liability for them. She called Mr. Gandesbery and they decided to put a sign showing where people could access the "Hamilton Trail/Bay Trail" from Bel Marin Keys Blvd. That information is also available on the State Coastal Conservancy website. People are parking their cars in front of the sign and walking through an area that posted "Habitat Restoration Area all dogs on leash." This has created a dangerous situation for people driving into and out of Bel Marin Keys due to the fact that you cannot see anyone crossing BMK Blvd until you get over the rise.

**XI. Open Forum-no comments**

**XII. Adjournment**

**\*\*MOTION: To adjourn the Board meeting of July 17, 2014.**

**M/S: Chase, Montobbio**

**Vote: Ayes- Chase, Montobbio, Lattanzio, Simpson, Ganas**

Meeting adjourned at 9:20pm