

# BEL MARIN KEYS COMMUNITY SERVICES DISTRICT

## Special Board of Directors Meeting Notice

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

**Date: Monday, October 26, 2020**

**Time: 5:30PM**

### MINUTES

#### Directors:

**Vince Lattanzio, President**  
**Darrick Chase Vice-President**  
**Cheryl Furst**  
**Mercy Angelopoulos**  
**Mark Montobbio**

- I. Call to Order, Please Turn Off Your Cell Phones: 5:30pm**
- II. Pledge of Allegiance**
- III. Roll Call: Present- Montobbio Chase, Lattanzio, Furst, Angelopoulos**
- IV. Open Time for Public Expression**

District Counsel noted that the open forum was open for public expression and noted that there was only one item on the agenda and that close session will be attended by the Board members, staff and counsel. Members of the public could comment on any items that is not on the agenda.

Dave Capper: on the agenda it states potential litigation, can I ask if a legal action has been filed?

Counsel noted that comments in open forum are typically not a time to the Board to engage in a Q/A or a response due to it not being an agenda item and would not expect any detailed answers this evening.

TJ Troutner: I am a resident of BMK and the last meeting the Board has in which they voted to reduce the ski area in Sunset Lagoon I put together a petition just asking the residents whether they agreed with the decision to not and if they di not to sign the petition and I have emailed that petition to the CSD. It has 214 names and wanted to know if the Board has seen it? You have the language that the petition was sent out saying and I would like to just make sure that gets entered into. The you know record or whatever it is you guys all have and so that you know that there are many residents who disagree with the last decision the way in which it was gone about the way in which the vote was taken the lack of community input. There were four people on the call last week all residents and all of them disagreed with them. whatever action they took the last meeting and get more Community involvement before making such a consequential decision that went against a report that was done for us years ago a couple years ago that in fact suggested. It is unsafe to reduce the ski area in Sunset Lagoon.

Kevin Buckler: Definitely want to put my vote in say I completely agree with Dave and TJ, and I am not all legalese on things. But you know, we all live in this community together, and we see each other many times per week every day. It seems a little odd again the way that the other meeting was held and I think everybody got their rightfully so their defense mechanisms up when we have already gone through this entire process completely properly several years back he did the study do all the work did everything we were supposed to do and here we are again visiting again because maybe somebody down the channel complaint. I just want to put it out there for the record. I did take serious deference and you know defense against the way things were conducted last time. I do not think we're supposed to wait for council members to vote and if they're on the fence, we believe them into an into a direction. I do not think that's I am not illegal guy that at that sure doesn't seem right I asked. And I know I think several of the people here TJ's asked is the meeting was recorded. If we're going to get all defensive on things then let us go ahead and replay the tape and show what was going on and I think that would give some clarity to the way that we didn't like the way things were going. It is not safe. It is not fair. It's not right and why someone gets do something it's just kind of a cryptic. I mean Dave trying to stumble around and begin to ask the right question. It just seems so strange, so I won't go over my three minutes. I am definitely against this. All of us are willing to you know, go down for the count on this. I know I am our community is going to lose value for the few people that want to kayak. We respect all that real quick on a positive note. We think there is a few offenders with the big boats that come in here. We totally agree with you guys. Those boat should not be here with ballast. That is what we talked about last time. I think all of us are willing to try to enforce that for those that do not you know, like the big boats. I agree to but for those of us who properly ski pay attention to the rules love the community and our big patrons of what bell Marine case is about. Out, you know taking away our ski areas just in doing it behind the scenes like this is just not the way to go. We should just this is not cool.

District Manager read comment submitted by David Render: When are the next board elections and how can we all participate in the elections? Also, how can we add residents' names to the ballot?

District Manager read comments submitted by Lacey Strom CSD Vote to Reduce Ski Area in Sunset Lagoon: 1. Why did the board choose to take a vote that would drastically impact residents without community outreach and asking the residents for their opinion? 2. What prompted the need for a vote to change the ski area? 3. Did the board engage with safety experts to conduct a review of the current ski area? 4. Why isn't the CSD cross posting meeting dates and agendas on social media sites like Facebook and Nextdoor to help increase community participation? 5. Why are the minutes from the last two meetings missing from the CSD website. 6. Some of the board members didn't appear to even understand what they were voting for at the last meeting. What preparation goes into these meetings and are the board members given enough information to cast an informed vote? 7. Over 200 residents signed the petition against the CSD board sunset lagoon ski area decision. Has the board reviewed the petition, signatures and comments from the community? What are the next steps to recall the decision? Lastly, I would like to thank you and the board for all of the hard work that goes into

running our community. Just because we disagree with the way this was handled; doesn't mean we are not thankful to the CSD and the board. Skiing, wakeboarding and taking our kids out on the tube is something many, many residents are passionate about and what makes this community so special. Community involvement in a decision of the caliber is absolutely a requirement. Thanks for answering all the above questions at the CSD meeting tomorrow night, 10.26.20 @ 5:30pm.

Jeff Benjamin got a public comment regarding the shortening the ski run. I just wanted to know what the reasoning was it because people complained about damage to docs or was it the protection of the leaven?

Amy Johnson: If you guys posted the minutes from the meetings in a timely fashion, so we can be educated and see what is happening. I looked 30 minutes ago, and Septembers and Octobers were not posted. That would be helpful.

Craig Van Der Maus: Hi everybody. Thanks for allowing me to join the call. You know, I am in the camp of not shortening the buoys for safety reasons agreed. I agree with that and I think in fact as I understand it, there's a study done that it was in it and I apologize for being late to the meeting that there was a study done to Extended due to the safety concerns. I totally agree with the comment. I just heard about it being too small of a Zone, you know to be able to be safe in you know if you have too many boats in that small Zone. It's just what's it going to do? And then I the other thing I would like to say is I just I think we're finding that there's more boat traffic and I have been in here for six years and there's probably more boat traffic obviously probably a lot of it had to do with COVID and the pandemic hitting but I think. That's good for our community. You know, we want our boaters to have the ability to be able to be out on the community and I agree being safe and I think shortening this will cause a safety concern and I just hope that you will consider that as a part of this public comment. Thank you very much.

Christina Hoberg: So I understand that people on Bahama Reeves wanted the sunset Lagoon ski area shortened which changes everybody's ability to use it because their section of the Lagoon gets the worst of the wakes. If you change the ski area then somebody else is going to get the worst of the wakes or people with their boats on trailers are going to take them to the north Lagoon and then The north Lagoon is going to have twice as much activity The Fairest thing to everybody is to not change the ski area a board of eyes directors should have the power to change it. The board does a lot of great work and I would hate to see future elections dominated by this one issue. We should all except our houses the way Our when we buy them some require more or less investment because of wind direction Southern Exposure or Lagoon placement, and that isn't something that should be able to be changed. I agree that offending boat should be stopped, and I want us to focus our efforts. They're working on Community Education signage for obtaining a launch ramp or lock. Key someone on next door pointed out that the waterways map indicating direction of travel makes it look like the boat should follow the buoys

which then makes the wakes bigger than if the boats were in the middle of the lagoons, so I think there are things that play that's where this will lead us. Thank you.

Lorie Leonard: It does seem are being near the community and outside Observer the easiest way to avoid all that with you do undo this decision and then revisit with a community discussion more notice public comment and kind of have an effective do-over. I don't think the CSD have to admit fall or that they did anything wrong, but you know about of Bentonite and saying the decision has been reversed, and we're going to go through the weather. It is later this winter early next year kind of second go at the decision discussion seems like a win-win for the community and the CSD and kind of the best way to keep legal fees at a minimum. Anyways, nice to meet everyone in to see the faces here and.

Natalia Shorten: If you want to stay informed and you want to know when meetings are happening and receive agendas via email if we could submit our emails and agendas and meeting times and It's could be sent to you as a notification maybe a week prior to when these things are happening. A good way to engage the entire Community. If you want to be engaged and stay engage. Some of us are just very busy with young children, and it is hard sometimes to you know, seek out those things so, that would be a great hope. Thanks, Natalia.

District Counsel noted that we would like to move into close session and then once the closed session is complete, we will return to the public meeting and if there's any reportable action, we would announce that, and then we would have the adjournment and all that will continue.

**V. Closed Session: CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION**

- a. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9 of the Government Code: (One potential case)**

**VI. Reconvene to Open Session and Report from Close Session if Applicable**

The Board voted to schedule a special meeting on November 9, 2020, to consider rescinding Resolution 10.15.2020.01 modifying the Sunset Lagoon Ski Area.

**VI. Adjournment**

**\*\*MOTION: To adjourn the Special Board Meeting of October 26, 2020**

**M/S: Lattanzio, Chase**

**Vote: All ayes**

Meeting was adjourned at 7:02pm