



- The State has updated the use of the playground equipment and is allowing their use while still following certain precautions. A new sign will be posted at the playground (see attached) which note to use at own risk and minimum number of people using the play area at a time.
- City of Novato General Plan 2035 final approval of the EIR meeting is being scheduled for October 26<sup>th</sup> notice will eb posted on the District website.

## **VII. District Engineering**

### **A. North Lagoon Dredging Update**

Mr. Parent noted that the contract was awarded to Lind Marine for the work to be done and the in 2021 and the notice to residents for the work to be undertaken will be sent out June of 2021 as to the reduction of the area that will be impacted. Regulatory interaction will be geared for the next couple of months. There was a question form a resident related to private dredge in parcels not necessarily within scope or purview of the project. Mr. Parent noted that the project as it currently stands is specific to creek and sump areas identified in engineering report and not looking to expand the scope with individual homeowners.

Directive that the District is not looking to entertain private dredge for individual residents.

### **B. Novato Creek Update**

No update, the survey finalized out in the next 30-45 days using that survey to move forward relative to the permit requirements and published out on the website.

### **C. South Lagoon Levee Update**

Nothing to report under COVID-19 restriction communication relative to ownership and maintenance an until have a public meeting is to stand down with any rea estate transactions and not moving forward until we have that public outreach. If the Board wants to move this forward, we can open on a virtual meeting. President Lattanzio noted that we should look for moving this forward and look for a virtual meeting.

Vice President noted that this is a District issue ad far as acquiring a price of property and that brought this up in the past, however, not sure we have looked as cost and what the change of ownership will entail.

President Lattanzio noted that we are looking for a rational decision as the District is burned with the maintenance and not own the levee and or have a say.

Director Furst asked for what the cost for acquiring the property would be and having it valued? Mr. Parent noted that this is one of the eleme3ts that will be looked at and will be brought back to the Board.

President Lattanzio asked what the statues of the south levee work is is given that the works was not all completed. Mr. Parent noted that the portion of the armament was not completed, and it is dependent on funding and prioritizing what we need to do as far as infrastructure projects and have been monitor elevations but have other phases

of work. President Lattanzio noted that there cannot be a levee failure in areas due to unrestrictive miss use of the waterways.

**D. District Asset Planning Maintenance/Procedures Project Update**

Mr. Parent noted the need to seek additional funding for future capital projects and a portion of the is community outreach.

**\*\*MOTION to approve community engagement proposal from NBS to develop, support and implement a community outreach plan to engage and communicate with BMK residents to further refine and develop financial mechanism capital asset maintenance, improvement and replacement funding for District assets thru 2040.**

**M/S: Lattanzio, Furst**

Mr. Parent noted that there was a conversation with NBS consultant for the community engagement portion and it was scaled back in price and the scope of work.

Vice President noted that his main concern is the amount of monies this portion will amount to , he acknowledge that we do need help putting this together, however, the price seem high, and yes we will be seeking 10-12 million dollars and will need the community to understand that and support that in order to maintenance the infrastructure.

President Lattanzio noted that one concern is that there is no guarantee that the measure will pass, and the District spend all this money. What would make more sense is to hire a part time person who can help coordinate the outreach and meeting kick offs and keeping a data field together. He does not feel we need an outside consultant to do this. if there is no consultant that means the Board is willing to take on and commit to this project and will need to do a large education of the community given that we have a lot of new residents.

Director Montobbio noted he agreed that he does not feel we need to spend the funds on an outside consultant.

**Vote: no-Lattanzio, Chase, Angelopulos, Furst, Montobbio**

**E. Boat Ramp Access Ordinance Review/Update Waterways Rules and Regulations**

Mr. Parent noted the issue with the sunset ski area and went back to the study that was commissioned in 2014 that was brought up at the September meeting and differed to the October meeting. He noted that the report and recommendations the consultant anticipated a big displacement given the fact that we would have less vessels in the ski areas, however, what was not taken into account was the displacement with vessels created with ballast. We have an ongoing discussion looking at the overall ordinance review as an interim measure a recommendation is to temporally bring back the ski area to the location it was to prior to the 2014 ski report and that is currently the Resolution was is being drafted and being presented as far as what we have with a turning basin or that particular lagoon. Mr. Parent noted that there are larger issues that are being addressed in the ad hoc committee as we look at all the ordinances and the whole waterway and would bring back to the Board possibly the beginning of the year. Mr. Parent noted that er is an issue with enforcement and in the interest of safety

for all waterway users and an interim measure that we can support.

**\*\* Resolution Number 10.15.2020.01 of the Bel Marin Keys Board of Directors  
Directing the Waterways Manager to Modify the Sunset Lagoon Ski Area  
M/S: Lattanzio, Angelopulos**

Vice President Chase noted his concern to the report that we understood that there is erosion and damage to docks , however, there is a safety concern (pg 5) that ski areas are at least 1900 feet long and the longer the ski run the less likely to have boat collision. His concern is that the resolution can be better written and changing the structure of the ski area and if this safe to do? As we get through all these ordinances and the complaints due to wakes and erosion, but he way people ae using the lagoon and whether they are being reckless. The resolution is not clear as to where it is a permanent or temporality resolution. In essence what other remedies do we have to use of the waterways?

Director Furst asked whether this should be an item that should eb tabled?

President Lattanzio noted that this is just the beginning as what is being seen with damage to private property and District Property. He noted that this is not safe as you look at the narrow section of the levee and consistent configuration as this is the narrowest area of the lagoon. he noted that this was going to be a problem and revisit as people are not following the rules and curtailed the damage and take a look a bigger look at the ordinance review and use of the waterways and look at other recreational use that cannot be done with boaters not following the rules (doing donuts, zigzagging ect) and adding ballast to their boats.

Director Montobbio noted that is you look we have boats that are too big for the lagoons and if boaters not going to follow the rules creates a problem. He noted that large boats should not be going that fast in the lagoon. He noted that in the past it seems to calm down, but this year the use of the waterways is constant as more people are home.

Present Lattanzio noted that we are not looking to eliminate ski, rather balance skiing with other recreational sports and minimizing damage and this is a rational first step.

Mark Button, Del Oro Lagoon: Appreciate both sides and feels the action is very rushed sees what is happening but not the large damage that is being called out more over the turnaround will be very tricky and would suggest looking at other solutions such as ski patterns and attached alibility

Chris Fehring: Calypso Shores: there seems to be no enough public notification as it will affect many residents and look at outreach and education and not react to complaints. The decision should be made by residents and table the vote.

Dave Capper, Del Oro Lagoon: Thank you to the Board for all the efforts they undertake to keep the community and pointed out that lack of enforcement and that larges wakes/ballast can be mitigated and there is a safety issue with bringing the turnaround

to the inlet at the end of Del Oro Lagoon will cause a lot more traffic. This shortening will cause havoc on the areas and impact the lagoon and will divide the community. Education and police the violators.

TJ, 132 Bahama Reef: Preserve the ski area and add boater education and rules and regulations to deal with ballast issue but not reduce the ski area. There are avid boaters who are respectful and abide by the rules.

Kevin Buckler:

**Vote: Ayes-Lattanzio, Angelopulos, Furst**

**No: Chase, Montobbio**

#### **VIII. Waterways Manager Update**

**A. Navigation Lock Maintenance Update**

Mr. Cormier noted there is no update under then routine maintenance

**B. Buoy and Navigation Marker Update**

Outer channel marker holding position

**C. Aquatic Vegetation Update**

no update, however, the south lagoon is turning

**D. Water Quality Update-no update**

**E. Calypso Shores Boat Ramp Dock Replacement Update**

We anticipate to have the dock beginning of the month.

#### **IX. New Business**

No items

#### **X. Old Business**

- A. COVID-19 District Use of District Owned Facilities Update:** We continue to have the community center closed given that we have not been cleared by the Marin Health Department to open the community center. The parks are open and will be adding a notice on the website to use at own risk and follow the CDC protocol safety measures.

#### **XI. Park and Open Space Maintenance Update**

**A. Montego Park Plating and Concrete Repairs Update**

We are moving forward with the next phase to complete that area to included removal of the Yuccas, plantings of native oaks, oleander and benches donations that will sit in between the new oak trees. There will be some bollards to the southern entrance and a gate for the maintenance crew to access the park. We are estimating the new DG and planting and all other items to come in under \$50,000 that will be paid out through Measure A funds and will have a price break out next month.

#### **XII. Financials**

Audit field work is scheduled for October 20-22 and will all be done remotely. The samples she requested have all been scanned and will need to be in the office in the event she is looking to

cross check with any other items.

**XIII. Sub-Committees**

- A. Emergency Response Team (ERT) Update- the committee is looking to regroup first of the year.

**XIV. Updates on Projects of Interest**

**A. State Coastal Conservancy (SCC), Hamilton and BMK V Wetlands Projects Update**

- 1. Dust Control Mitigation Plan- Letter notification to Project Manager

Continue to notify the project manager when there are large dust plums and have notified them of the damages caused by large equipment to the palm and plantings at the front entry.

**C. Bay Trail-no update**

**D. Pacheco Pond- no update**

**XVI. Adjournment**

**\*\*MOTION: To adjourn the Board Meeting of October 15, 2020.**

**M/S: Lattanzio, Angelopulos**

**Vote: All ayes**

**Next regular meeting date: Thursday, November 19, 2020, 7:30PM, at the Bel Marin Keys Community Center, 4 Montego Key, Novato, CA.**

Meeting adjourned at 9:48pm