

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, November 9, 2020

Time: 7PM

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: 7:03PM**
- II. **Pledge of Allegiance**
- III. **Roll Call: Present-Chase, Angelopoulos, Lattanzio, Montobbio, Furst**
- IV. **Open Time for Public Expression: No Comments**
- V. **Board Consideration to rescind Resolution 10.15.2020.01 to Modify the Sunset Ski area**
District Counsel, Riley Hurd, reminded attendees about the order of operation and the item that has been called to rescind is the Resolution. The next step will be to see if members of the Board have any question of staff, then making a motion to any subject of discretion would open it up for public comment on this item.

*****MOTION to rescind Resolution 10.15.2020.01 to Modify the Sunset Ski area and to be Revisited later after more factual studies and gathered and more Community input is gathered.**

M/S: Lattanzio, Chase

Item was opened for public comment.

Christine Houberg: I just wanted to again state that I am hopeful that the board will go back to the old water ski lagoon shape and size, water skiing can't be done on any shorter Lagoon. I know it has been a tough summer on docks everyone stayed home because of the pandemic and then with Lake Sonoma and Lake Berryessa closing because of the fires we were all here. But this Summer's also seen our property values go way up people value water sports and the availability to have fun in their own backyards. I hope we can work together to figure out ways to enforce the rules. We have all heard of being good stewards for the environment, let us be good stewards to Bel Marin Keys.

11/5/2020 9:45:57 AM

David Render: Thank you guys again for putting this together and reconsidering the position. I just wanted to reiterate I think my position and probably almost everybody that's on the call and everyone's of course happy to speak up but I agree that you know water skiing itself wakeboarding all of it. If it's done completely in a circular motion that choppy fashion. It completely takes the fun out of what we do from a user's perspective.

Kevin Buckler: We did this how many years ago , we did a study, had a guy come out on his boat we paid for that study and not safety wise and legally determined what they thought was the best pattern which is what we have now. So, I don't know how we would possibly like to challenge that because it is a safety issue. It is a liability issue when you start getting too many people in a small space and then again from the user users perspective is just not enjoyable at all and I love our community. I have been very supportive of it since I have been here since 1995. We have several homes here. And you know, I want the property values to continue to escalate people to have fun to enjoy their property. But I also think we could all work together to police some of these issues like when this probably came to light surely wasn't my little ski boat or anyone else is that was being respectful of the pattern in the docks. It was someone from out of the area that you know got access to the area or one of those big boats that puts ballast on and although I am hardcore water sports. I would vote to not have these boats that are adding, you know hundreds and hundreds of pounds of water becomes lower into the water to make them bigger wait to ski and that one just too much art. Our docks weren't designed in the old days for that, but they surely were designed for some form of water sports. That's why we live here. So I just want to say I am very supportive of putting it back like it was and you know obviously went through this whole thing last time did a big study, you know, did the whole thing, right? And you know, there's a few squawking neighbors, but, you know, let us work together to help them as well.

Clint Bajakian: We are on Del Oro just down the street from Kevin right near the park on bail, or we get about as intense awake activity as any property. I think probably definitely as much as any property on Sunset Lagoon and indeed perhaps even All of the South we do, and we I have to say we have to endure it I get it. but other thing is we enjoy see people having fun and we love to be a part of it. I have had to do a couple minor repairs with the dock and the cabling, but we support it 1000% It's an incredibly important feature of this experience. We need that longer-run what will happen is, and we have lived it now for about two years now that we have been here went up when a skier goes by there's an appreciable amount of time before the skier then returns to the opposite direction. Correction, and that's usually so far away on the other side of the Lagoon that it doesn't really impact our dock then it does the you turn on the west side and eventually goes by our doc if we were to shorten the Run they would be much more traffic there would be dangerous cross traffic at the in Channel where that goes to paddle boat Lagoon there would be much more frequent passing by of all the houses. West portion of Sunset and it just seems frankly a bit unfair to me that the change as currently stands would exempt

11/5/2020 9:45:57 AM

the folks on Bahama Reef from any real wake activity and it would then further compress that activity up on our side. West portion of Sunset and it just seems frankly a bit unfair to me that the change as currently stands would exempt the folks on Bahama Reef from any real wake activity and it would then further compress that activity up on our side. we support the study that was done years ago and support maintaining the pathway as it traditionally has been, thank you very much.

Jim Spalding: we live now on caribe isle, and we also experienced a lot of wakes at the peninsula the very end. I think I have a make perhaps a different perspective. I think a lot of things have changed over the years. I think the craft a boat has Definitely, the length of boats has changed as someone else had mentioned the ability to take on extra ballast. I appreciate the difficult position that the CSD is in trying to police these things because they are simply unbelievable. I know that the committee is tried to do things like this before. I think it's admirable that we try to do these things and I think we should try. I to come together to figure out the CCR's that already our existence those restrictions that are already there? I think they're there for a good reason and I think the study probably supported that in most recent any change to this I think as has been pointed out previously. It's a good idea to get the community involved in coming up with a solution for that. I don't know what that solution would be. I think it's premature to suggest what that the weather as the board has rescinded that water. It's bringing that back into being or putting it back to the original full-length. I don't know what the correct solution is, but I think a thoughtful well-thought-out plan of making it all the root causes of the issues that are currently out there right now including the fact that we you know have not been able to dredge for a while. The Lagoon has a lot more shallow areas that it has had and when it was first put in there are a lot of mitigating issues that may make waves Now worse than they were at any other time, and we just need to take a look at it pragmatically and figure out a long-term solution for it to not only not negatively impact home values here, but also the enjoyment of people living here.

Craig Vandermause: I am in the camp correctly under most Del Oro Lagoon of you know, making it as long as it can be or where it where the boo used to be placed. I mean I would also like to state that I appreciate the fact of what the board is doing, you know, there's a lot of things that go unsaid and undone and unseen that you're doing to support this community and Bel Marin keys and you know, a lot of times you will get beat up for four things that maybe it isn't exactly right. That being said, I think you know, I think it's pretty obvious that the neighborhood. Has put out a petition of over, you know, you get a lot of comments on this issue and it was a hot issue. And, so I think the process obviously is broken and you know, you can't we can't just Jam a decision that's going to affect so many and so quickly move, you know to be able to make that decision. And again, I realize there's COVID I didn't even know what time these meetings were taking place now. I am going to get involved, you know with the community that I live and I have been here for about five years, so No, I just think the process was broken. It shouldn't have

11/5/2020 9:45:57 AM

happened so quick I do agree with the last comment that we can come up with Solutions. And I think a communication plan is probably going to be very important for that. You know, I am trying to think of the last time that I have seen any communication just as simple as a hard copy mailing can make some copies about what the new what the current rules and regulations are and if I am in this Stadium there forgive me, but I haven't seen anything. You know, I have a young family I brought them into this into Bill Murray and keys neighborhood because I wanted to take advantage of the Waterway and you know water sports is a big thing for our family. It will continue to be you know, I bought this house at you know, a good price and I have since put into Renovations one of the renovations taking over one year bringing the property values up inside of this neighborhood. The next thing I need to do is to build up my dock because you know, you can't expect to sit inside of a salt environment. I think that you don't have to renovate or fix up your doc, you know that stuff is going to get crumbled in 15-20 years and So when you buy that in a place like Gomer in Keys, you got to understand that you're going to need to renovate and if you don't then take your dock out or look to move. I mean, I think it's that simple, you know, I have seen the report I have read the report. I agree with a lot of it. I would urge the board to consider lengthening. Meaning, you know where that buoy is so that you could take advantage of all of that space down further toward. I guess it's the, so I guess it's the southeast or may be wrong. But down the skinny Lane to be able to extend it a little bit but bottom line is you know, I think the neighbors all want to be good neighbors in here, but I also think we you know, we got to respect the fact that this Waterway was built so that people could come in and enjoy the water and not just look at birds all day long. So I think you know, we have got to find a. Be medium co-op with a good communication plan on what those new regulations were on this last comment. I really like your comments, and I am looking forward to being a part of the solution. Thanks a lot.

Brian Calder: Just want to echo one thing that the last neighbor mentioned regarding communication. I have been here is BMK for only a year, but in that time to figure out the waterways rules took a lot of effort on my part I wasn't told where to even go and it wasn't frankly until I have even heard about this rule being discussed that I happened to see it on next door that I then started, you know started realizing that they were things like, there are rules against ballast, against zigzagging around pulling an inner tube or two tubes or whatever. They whatever those rules are been the only things that I did learn was I moved in I could. I could get a boat into the water and I can go skiing and at the launch I saw there was a sign that said I think it's I think there are a few of the rules 22 feet and. Counterclockwise patterns Etc. But there were several rules that I think that I am hearing now that are not that weren't as available. In fact, this meeting I even had to search for on my own to figure out how to join. I think the communications plan, I think. That enforcing and just communicating a lot of the existing rules that are in place today that are there to help you to benefit all the neighbors. I think that there can be some work on communicating those other than leave it there.

11/5/2020 9:45:57 AM

Debora Buckler: You know somebody I think to calls ago brought up about how you kind of expect when you move here that your dog is going to require maintenance all of it requires maintenance such as our roofs, sidewalks I had to redo part of our sidewalk because it was crumbling, and it was a hazard. I mean you just expect the fact that nothing lasts forever, and it requires maintenance and it's escalated when you have salt water.

Dace Capper: We went through a lot in 2014 when this closure of the Lagoon came forward it was as you know involved in issue with a number of people turning out as much as the dredge or unit 5 development. I don't think Derek we have had that level of Interest before and yet when there was a potential closure. This time. I didn't see it flagged on the side. I didn't see it in the newsletter. I didn't see it communicated on the internet. I didn't have a mailer. There was nothing communicated about it and it felt kind of strange something that was so interested of the community that had so many people involved for it to be brought up. I don't know if the prior findings from 2014 we reviewed it seemed to be you know, something that was pushed through without communication and I sure hope that the board finds ways to communicate to the community. So they can have a say in what happens on important everybody. I only have one more question if that's rescinded. Are there any next steps planned at the waterways or the pattern? And that's my question.

Thomas Troutner: I am on Bahama Reef, I think most folks have captured most of the comments that I would like to make. I do also want to reiterate my thanks to the CSD for all their hard work and for you know, putting this recension on the agenda today. I think it speaks to you are all listening to the community. From last call. I am not sure if everybody is aware, but I am who started the petition given the decision to reduce the ski area that petition has over 215 resident signatures on it. And I think you know; I have Loved a lot of the ideas that have come out so far. I am over on 132 Bahama Reef. I too would you know be fine with the ski area being extended that would impact My home and my dog and my Shoreline but again, that is why we move our here. It's what we love about being out here and it's why many of my friend's family and folks I know in the broader Community Envy us being able to live out here. So, I to just want to reiterate that. I think this is a special place. I think we need to protect it and I think that in this instance Certainly showed that more Community involvement is necessary in decisions like this. I think we do need to work on our communication protocols, and we need to do better in informing residents when there's something like this on the agenda and frankly, I think that through the petition and through the number of folks that we have had attended these calls. I think you know; I would hope that the CSD gets from this that you have very active and engaged residents who have a desire to be engaged in these things. I know that the vote isn't final, but I think this is a good decision on your part. I know those who live out hear an own boats want to maintain our ability to do that. And we want to make sure that it's done in a responsible say fashion one that limits property damage and allows us to continue to have this unique very

11/5/2020 9:45:57 AM

desirable experience. If the action is to rescind have any plans for any future actions or of any Those actions been discussed thus far? Thank you.

Terry Friesen: I appreciate all the work. The board does behind the scenes for all of us. I have one suggestion something. This important should go to the whole community and be posted where we can find it. The only information I have found about. These meetings have been from next door like Mr. Troutner just spoke has posted and I think this should be posted on the CSD website with an information about what the agenda is going to be as well as a call-in number and so on all of that should be at the CSD site website so more people can find it.

Matt Glerum: I am on Bahama Reef first big thanks to the CSD board to the staff members business. There's and all of the other things you do double teams. Predict tremendous amount of effort are from work and attention and it's clear that you are regularly here to work the entire Community. I appreciate that you're considering receiving the decision to move the turn buoy. Last time that this came up, we had just replaced our dock we replace your dock because it was finally beaten down from wakes and this has been a pretty busy year out there for all the understandable reasons. The activity has broken our cables this year.

I just replace them about two weeks ago and all that said I am super happy to see people out there using the Waterway. We do not have a ski boat, but we're really happy to see the people ski, that's one of my favorite things that people go waterskiing my own backyards really cool. At the run will remain long as possible and just in my unofficial polling of some of my other residents here who have been here much longer than I have only been here for 12 years and I have heard that even in the earlier days that ski run nearly went to the very end of Bahama Reef. I am sure that there are probably a good reason may be why that run was shortened but I do recognize that a shorter run not only makes for a tougher pattern for skiers, but it also will really increase the Wake activity for those of us who are exposed to it. And while I am fully aware of the need to be able to repair or the need to repair things here. I also think that it really would focus the kind of destructive impact of wakes. On a much smaller group of people. So, one other thing just getting kind of specific here. By the way. I have seen the Waterway rules recently. We communicated I think was in locks and keys. I have seen it. I think a couple different times. So, I appreciate that most recently I think in the locks and keys issue that I read about the rules. What are some recommendations on how to essentially report? People who are breaking the rules and in is one of those things that you don't want to be that guy who's standing on their dock and taking pictures of boats that are throwing huge wakes that you can tell her either produced by ballast or wedges or both or the boats that are 25 and 26 feet long or longer and running people around, and yet I think many of us hope that there's some way for there to be just. Maybe not even better enforcement. But just a clear understanding I think that communication campaign specific to the things that make, you know about friendly to our waterway and to our docks to our Shores and the things that kind of make them go out with you. So, I don't have any great solution for how that should come about.

Lacey Strom: I agree with pretty much everything that everyone else has already said. But I do think that there's a lot of new boater in our community. we're very aware of the rules and regulations and our boat has a ballast, but we don't fill it up in the lagoon, you know if we want to use our ballast we go out in the Petaluma River. So I just think more education for new boat owners so that they understand the rules and regulations and I get that we have a CSD website and that's fantastic. But most of these people are probably not going to check that website. So, you know cross-referencing things on Facebook and next door can get that message out to such a larger audience and these people are probably. You know little bit younger they're active on social media and I just think. Helping them be more respectful of the lagoons is a good start rather than you know, shortening the ski area because frankly that's just not safe, you know, and we have got a lot of kids out there that are tubing and learning how to me board and wakeboard and water-ski and I just won't feel safe with my daughter out there with a shorter ski run.

President Lattanzio noted to bring item back to the board for discussion. He noted that given some of the comments freedom comes with great responsibility and we have to increase our education and we have to increase our awareness and communication so that newer residents understand rules and they can be good neighbors while enjoying the waterway. It is not just about the dock damage it's about the Levee and the repair on the Levee that we need to make that is also impacted by wake action and the previous time in the past when we have closed that area it is specifically to do repairs that didn't get done. And so we need to look at studies and get an. Assessment and see what we need to do to make it more user-friendly and also work on the education and user activities and forth more toned or communication and clear use of the rules. So delaying this closure until we get more information about how to deal with it in a constructive way together as a community.

Director Angelopulos noted that Back to the community and getting more feedback from the community will be really helpful. A great statement heard was " what works and what doesn't" and if people are filling their ballast they shouldn't be if people are. Having both that are larger than 22 feet that is against the ordinance as we have already established. We just need to make it clear that shouldn't be happening and a lot of it is self policing as a community. We love our community. We all love living here and there's no reason for people to break the rules, or being shamed into following the rules and doing the right thing the right way.

President Lattanzio noted next step is continued study analysis of impacts and solutions that have communication updating the ordinance to make sure that we have the ordinances in place

11/5/2020 9:45:57 AM

to meet our newest or present needs in the lagoon the intent was never to limit or remove skiing but trying to manage it is productive and fair to everyone.

Vice President Chase noted that there is a mutual understanding that there needs to be more workshops as we move through the next steps and communication to be user friendly for everyone to, we can have a ski area for everybody that is safe and need to maintain community involvement and manage the water way use.

At call for the question to rescind the shortening of the Lagoon at this time and to be Revisited later after more factual studies and gathered and more Community input is gathered.

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

President Lattanzio noted we hope we can maintain this level of community involvement in both looking at the ordinances and ways to make the waterways more respectfully and responsibly used so that we can manage our water we use and manage our damage as well as enjoyment. So I hope the community understands that our goal is always to make the community better.

Resident asked a question about tomorrow 11/10 meeting. President Lattanzio noted that is measure D meeting. And so that is a committee that works to figure out how to apply the measure D funds. It is an oversight committee and meet twice a year. There is a representative from each area within the community and make recommendations to the board to approve the measure D use of measure D funds.

VI. Board consideration and possible recommendation regarding County of Marin Board of Supervisors intent to purchase real property (Inn Marin) related to the Homekey Program to provide Permanente Supportive Housing.

President Lattanzio noted there was a lot of people reaching out and discussing it with the County and the City of Novato and Supervisor Arnold has withdrawn support the purchase of the Inn Marin. This item can be deferred to the regular meeting if it's needed and continue to receive updates with action from the Board of Supervisors and City Council.

VII. Adjournment

****MOTION: To adjourn the Special Board Meeting of November 9, 2020**

M/S: Lattanzio, Chase

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

Meeting was adjourned at 7:47PM