

BEL MARIN KEYS COMMUNITY SERVICES DISTRICT

REGULAR BOARD MEETING

March 16, 2023

MINUTES

I. CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE

The Agenda for this meeting was posted on March 14, 2023.

Directors Present: Vince Lattanzio, Cheryl Furst, Steve Nash – Quorum present

Minutes recorded by Clerk of the Board, Michael Gadoua.

President Vince Lattanzio called the Regular Board Meeting to order at 7:30pm.

II. APPROVAL OF AGENDA

Modified Agenda, moved **XII New Business** to accommodate attending residents.

Motion to approve amended Agenda.

Motion by Director Lattanzio; seconded by Director Furst

Vote: Ayes 3; Nays 0; Abstain 0; Absent 1.

Motion Carried.

III. APPROVAL OF MINUTES

Motion to approve Regular Meeting of February 16, 2023.

Motion by Director Lattanzio; seconded by Director Furst

Vote: Ayes 3; Nays 0; Abstain 0; Absent 1.

Motion Carried.

IV. CSD ORGANIZATION

Applicants for the vacant director position; Peter DiPrete; Chris Fehring, Ruth Peterson, Madeline Thomas; two applicants had withdrawn. Two were present and addressed the Board and the attending residents: Ruth Peterson and Madeline Thomas. The directors reviewed applications submitted by all applicants. The Board voted. The Clerk tallied the votes and announced that Chris Fehring had been elected to complete the term of Darrick Chase.

Motion to approve appointment of Chris Fehring as director for the remainder of the term.

Motion by Director Lattanzio; seconded by Director Nash

Vote: Ayes 3; Nays 0; Abstain 0; Absent 0.

Motion Carried.

V. ORAL AND WRITTEN COMMUNICATIONS

Residents Lynn Ringseis and Taffy O'Neill addressed the Board to maintain their Boat Cleaning Contracts. Michael Turner, of Edgewater Marine, presented his argument that he should be allowed to keep his contracts with residents who subscribe to his Duffy Boat Cleaning Service. Currently, the owners give their Ramp Access Cards to Edgewater Marine employees who then access Boat Ramps and clean their clients' boats. This violates the BMKCSD Agreement regarding the Boat Ramp Cards; District water is being used to clean the boats (paid by all residents); and there is no guarantee that the Boats did not come from a waterway outside of BMK; and finally, there is no insurance indemnifying BMKCSD. The matter was tabled for the April Agenda.

XII. NEW BUSINESS - Action Item

TAM Battery Storage Facility Project – Rezoning of Land Adjacent to BMKCSD from agricultural to public use facility. Residents addressed the Board and the other attendees of the meeting. The commentators were against the rezoning of the land to provide for the project as well as the project itself. Public comments were made by: Yvonne Young, Linda Pollack, Dan Bernhard, Larry Bauer, Jim Spaulding, Mary (Helman) Miller.

DM to write letter to County Supervisors.

DM to create BMK email-blast list to keep residents informed.

DM already revising website for sharing information with residents.

Motion to produce BMKCSD Letter of No Support for this project for the reasons stated.

Motion by Director Lattanzio; seconded by Director Furst

Vote: Ayes 3; Nays 0; Abstain 0; Absent 1.

Motion Carried.

VI. ADMINISTRATIVE COMMUNICATIONS

District Manager’s Report

Operations: DM addressed the following items: Meeting with Marin County District 5 Supervisor, Eric Lucan, and his aides Leslie Weber and Tanya Albert; the removal of the fallen Elm tree at 147 Del Oro Lagoon – proposals expected; Buying muckbiotics directly from the manufacturer, Naturalake and dispersing with BMK employee, saving a significant amount of money. DM worked with Mike Blatt at Vortex Granular Systems, LLC. Naturalake sent 30 lbs of muckbiotics to test the dispersal of the product in the Vortex TRA. The machinery with added vibration dispersed the product 30 feet.

Motion to approve purchase of muckbiotics in bulk (not to exceed \$13,500 + tax) and Vortex dispenser/vibration kit (not to exceed \$5,500).

Motion by Director Lattanzio; seconded by Director Furst

Vote: Ayes 3; Nays 0; Abstain 0; Absent 1.

Motion Carried

Financials: Bank of Marin – Account Balances – approved; Preparation of Documents to Close Bond Measures E and F is pending; Ratification of Checks and Transfers, approved; June 30, 2022 Final Audit Approval – was received today and tabled for a special meeting.

Committee Reports

Discussion on Measure D Citizen’s Advisory Committee, reviewing past expenses and estimating costs of future expenses. Facts and information needs to be shared with residents.

1. Measure D Citizen’s Advisory – Action Item

Motion to approve recommendations of Measure D Citizen’s Advisory Committee.

Motion by Director Lattanzio; seconded by Director Furst

Vote: Ayes ___; Nays 0; Abstain 0; Absent 0.

Motion Carried

2. Community Outreach / Strategic Planning Committee – Action Item

Motion to approve publishing costs up to \$1,500

Motion by Director Lattanzio; seconded by Director Nash

Vote: Ayes 3; Nays 0; Abstain 0; Absent 1.

Motion Carried

3. ERT – Community Emergency Preparedness

Next committee meeting scheduled for April 3.

4. Engineering Works of Waterways

Dan Retz has been in contact with manufacturers but is not present to report out.

5. Traffic Safety

Issues discussed – to be in April.

6. Beautification

Issues discussed with Cheryl Furst re: Bird Island in North Lagoon

Issues discussed with Alison Steiger re: blight in neighborhood

7. Welcome to the Keys – Chair, Absent.

VII. UNFINISHED BUSINESS

a. Community-Benefit Application and Agreement [First Reading]

Taken under submission; to be addressed at April BOD meeting.

b. PG&E – Update

Kelly O’Haire addressed the BOD and shared good news that she would be meeting with PG&E, tomorrow (3/17) to discuss the outdated and obsolete infrastructure. She discussed her experiences living in BMK and dealing with PG&E’s failure to maintain its equipment.

VIII. UPDATES ON ONGOING DISTRICT ENGINEERING PROJECTS

a. North Lagoon Dredging Permit

California Water Boards SF Bay Regional Water Quality Control Board deemed BMKCSD’s application complete and the Water Quality Certification and Order is effective as of March 9, 2023. The attachment 2 map, reflected the dredge footprint and disposal site location. “Pacheco Slough” – recognized.

b. North Lagoon Sluice Gate/Stoplogs – Action Item

Request updated bid documents from Foth to accommodate the conditions of the permit. Need to have a clear and concise schedule to include advertising and pre-bid meeting; and follow up with bidders; to include a BAFO in their bids.

Motion to request Foth to update bid documents.

Motion by Director Lattanzio; seconded by Director Furst

Vote: Ayes 3; Nays 0; Abstain 0; Absent 1.

Motion Carried.

c. Novato Creek

No update, but part of the dredge project.

- d. South Lagoon Levee – Action Item
Discussed in part; but need to hold a Special Closed Meeting to discuss liability issues regarding ownership of the South Levee.

IX. UPDATE ON ROUTINE WATERWAYS MAINTENANCE

- a. Navigation Lock Maintenance
To be addressed by volunteers on Saturday; close the Lock until the problem is rectified.
- b. Buoy and Navigation Markers
Jet Pump and hose still being manufactured
- c. Aquatic Vegetation / Water Quality
Buying Microbiotics
- d. South Lagoon Diffuser Systems
Need cleaning twice a year; RL can help train new personnel.
Find protocol for cleaning diffusers in Admin computer
- e. North Lagoon aerator systems
Researching appropriate method to aerate deep water lagoon.

X. PARKS AND OPEN SPACES

Montego Park

Irrigation and turf restoration; New play structure; shade trees in picnic area; synthetic turf in area in front of Bocce ball court; dog park behind Tennis court – Future things, need to save Measure A money. Perhaps a restroom in Montego Park.

XI. UPDATES ON PROJECTS OF INTEREST

- a. Resilient Highway 37
No final decisions; nothing is affordable. No progress.
- b. State Coastal Conservancy and BMK V Wetlands Projects Update
Ask for them to get inspection. SCC levee is not at FEMA level.
Discussed FEMA and Flood Insurance. Asking for Eric Lucan’s assistance.
- c. Bay Trail – No update
- d. Pacheco Pond – No update

XIII. DIRECTION OF FUTURE AGENDA ITEMS - Indicated above.

XIV. ADJOURNMENT

Next regular meeting: April 20, 2023

Motion to adjourn.

Motion by Director Lattanzio; seconded by Director Nash

Vote: Ayes 3; Nays 0; Abstain 0; Absent 1.

Motion Carried.

Respectfully Submitted,

Michael Gadoua, Board Clerk