

Bel Marin Keys Community Services District

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MINUTES REGULAR BOARD MEETING March 21, 2024

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

The Agenda for this meeting was posted/published on March 21, 2024. President Lattanzio called the Regular Board Meeting to order at 7:30pm and called roll. Directors present along with Vince Lattanzio were Steve Nash, Cheryl Furst, Mercy Angelopulos, and Chris Fehring. A quorum was established, and the pledge of allegiance was recited. Minutes conducted by Board Clerk, Michael Gadoua.

II. APPROVAL OF MINUTES

Remove PG&E February 16 Meeting Notes from February Minutes
Approval of February 15, 2024 Minutes
Motion to Approve February 15, 2024 Minutes
Moved by Director Lattanzio; Seconded by Director Angelopulos
Directors Vote: Ayes 5
Motion Carried.

III. CONSENT CALENDAR

Ratification of Checks Issued between January 3 and February 12
Motion to Ratify Checks Issued
Moved by Director Lattanzio; Seconded by Director Nash
Directors Vote: Ayes 5
Motion Carried.

Ratification of Checks Issued between February 13 to March 15
Motion to Ratify Checks Issued
Moved by Director Lattanzio; Seconded by Director Nash
Directors Vote: Ayes 5
Motion Carried.

IV. PUBLIC COMMENT

None

VIII. NEW BUSINESS

Motion to move VIII up in the order. New Business to be heard at this time.
Moved by Director Lattanzio; Seconded by Director Angelopulos
Directors Vote: Ayes 5
Motion Carried

Joshua Nelson, Best, Best & Krieger, discussed his practice, firm, and reiterate that the fees are as reflected in the letter of the December 29, 2023. Recommended by Chris Lynch, Esq. Questioned by Board members. Director Lattanzio discussed the existing property issue with South Lagoon Levee.

Motion to retain Joshua Nelson, Best, Best & Krieger as general counsel to BMKCS D.
Moved by Director Lattanzio; Seconded by Director Angelopulos.
Directors Vote: Ayes 5
Motion Carried.

V. **DISTRICT ENGINEERING PROJECTS**

Board to pay the Emergency Metal Work for the emergency metal work at the North Lagoon Radial Gates, performed by resident, Rob Merrell, of Merrell Metal Works.

Motion to Approve Funds to Pay Merrell Metal Works (\$7,543.50) invoice from Measure D account.

Moved by Director Lattanzio; Seconded by Director Angelopulos

Directors Vote: Ayes 5

Motion Carried.

Director Lattanzio reported out on his meeting with Kevin Tweed, tapping him as a marine contract expert. Upcoming projects were discussed as were various marine construction and engineering contractors.

V. **ADMINISTRATIVE COMMUNICATIONS**

a. District Manager's Report

1. Financial

Bank of Marin - Account Balances

2. Operations

a. Electronic Innovations – Access Cards

Costs have drastically increased since we met with EI; pursuing alternative direction to improve our access card key system and retain the DoorKing system and Marin Lock to service us, as well as the tech people. Will upgrade the DoorKing system with Director Fehring.

Need to develop method of maintaining resident access to boat ramps and Nav Locks – Lattanzio.

b. LakeTech Circulators – Costs have drastically increased since it was advised by LakeTech that the circulators require more electricity (changed from 1amp to 9amps). Director Lattanzio also pointed out that the dock-mounted circulators could also be a safety issue with children.

c. Aerator - DM instructed to pursue proven aerator/diffuser system, as a pilot program. Also, Board instructed DM to investigate the installation of the same system in the area near condo complexes of Bermuda Harbor and The Gardens, or the area nearer to the PG&E tower which has a source of power.

Director Fehring stated that 55 decibels is loud. However, Director Lattanzio pointed out that 55 decibels is assigned to moderate sound of normal conversation with music playing in the background – it is in the lower range of the decibel scale. Director Nash pointed out that the County ordinance is 85. Further discussion by the board continued regarding the sound level of the aerator. We will conduct a decibel reading after it is installed under the deck.

Motion to Approve Funds for N.L. Aeration system, Hydrological Airlift 4, no more than \$10,000.

Moved by Director Lattanzio; Seconded by Director Nash

Directors Vote: Ayes 5

Motion Carried.

Electronic Marquee. Because of the length of the scrolling messages, it requires people to operate their vehicle in a safe manner so there is a need to drive into the parking lot to read the messages.

Seminar: North Bay Watershed Association - Nature-Based Solutions

April 19, 2024 - 9am to 4pm at Sonoma State University

Director Lattanzio and District Manager to attend.

b. Standing Committee Reports

1. Community Outreach/Strategic Planning Committee Report - Lattanzio

Honoring Volunteers Director Lattanzio asked the Board, 'how would you like to recognize the volunteers that spent hours of time and energy working with the residents to ensure the passage of Measure G.' Board discussed options. Mercy offered a coffee table book. 50 copies, entitled, *Keep BMK Thriving*.

c. ad hoc Committee Reports

1. Grant Writing Committee Report – Nash

Grant Writer - Dave and I were supposed to talk today but will talk tomorrow (3/16).

2. Public Safety Report – Nash

Conex Box location to be covered with Blue Stone in the entire area; Need 4 yards of stone; 2 yards of crushed granite.

Front bucket loader is designed to be used on the Orion; may need a battery; ask Maintenance Manager to get the loader working.

a. Sub-Committee Emergency Response Team

Next ERT meeting will be Tuesday, April 16, 2024, at 6pm.

b. Sub-Committee Traffic Control

Sent the County another email for Traffic Improvement but still have not heard back. Director Nash will follow up with John Noble, DPW.

3. PG&E Committee Report – Nash

Kelly O'Haire and Director Nash met with PG&E. They have been doing improvements and are working to reduce our power outages. Fuses blowing are not explosions but a safety device to absorb the damage. PG&E will take palm trees out and replace them with lower-growing trees so as to not make contact with powerlines. They're on board to do a lot of improvements but I'm not sure if anything will happen in the near future on Montego Key because of all of the powerlines. The Committee is looking for 2-3 homes that are having power surges that can volunteer to have monitors installed, as to website and N2N.

4. Beautification Committee Report - Furst

A Plant occurred on March 16, where volunteers planted daffodils and other flowers at the Office marquee. Another Plant will occur on the next weekend, and possibly the following weekend. And the next phase will occur in six weeks (second week of May), and we'll need more volunteers. I'll be contacted as soon as the ordered plants come in. Cheryl will provide staff with a date when the plants get in and she'll advise as to when she needs volunteers. She will also be eliciting students from the school to do community service. Cheryl will also send the photographs to Lisa for N2N and the website. Cheryl will also order California Poppies pursuant to the Board's request. Cheryl will forward BC pictures to Lisa to be included in the N2N, and a blurb about her committee.

Cheryl wanted to paint the signs, again, but all colours were bad in the past. She will powerwash the signs and marquee to clean them, she has a powerwasher.

5. Welcome to the Keys Committee Report - Angelopoulos

The Committee will be delivering baskets. And will provide Lisa with a blurb about her committee for the N2N. Next Welcome Committee meeting, Tuesday, April 16, 2024, at 6pm.

6. Communications Committee – Committee members needed, Cheryl Furst and Chris

Fehring volunteered. A vision and mission will be provided to the Board at the April BOD meeting along with an analysis of how to improve our communication.

VI. COMMITTEE ORGANIZATION

The organization of Boards, Committees, Sub-Committees, Qualifications Sought, Questionnaire, Recruitment of Residents, Qualifications, Selection Process and Number of Membership Appointees will be determined. Questionnaire Recruitment seeks 13 Members for Measure G. 5 Members for Measure A. And 5 members for Measure A; with a minimum of meetings twice a year. Board discussed changes to the prepared form; Director Lattanzio provided DM with version to be used. All Applications received by April 15, attached to N2N, to be hand-delivered.

VII. UNFINISHED BUSINESS

- a. Montego Park's Porta-Potty – approved for March 30; Easter Weekend.
- b. Montego Park's Porta-Potty – clarification.

The Board asked to revisit Porta-Potty for clarification of terms. After much discussion, the Board agreed on the final terms, as follows:

- 1. Rented Mill Valley, ADA porta-potty; \$312.48 per month; Sanitizer, maintenance included; \$420 nice wood with horizontal slats; fencing to be built by BMK Maintenance; located at south-west corner; month-to-month term; open dawn to dusk; initially to be kept unlocked;
- 2. DM to cost-out Camera (180 view), Lock; Anti-vandalism.
- 3. Other issues: Visual; outside use.

Motion to rent an ADA porta-potty; \$312.48 per month; with a sanitizer, unlocked.
Moved by Director Lattanzio; Seconded by Director Furst
Directors Vote: Ayes Lattanzio, Nash, Furst, Angelopulos; Nay Fehring
Motion Carried.

Motion to approve the construction of a cedar horizontal planks, shelter to be built by BMK maintenance up to \$1,500; located at the left side, near the electrical source.
Moved by Director Lattanzio; Seconded by Director Furst
Directors Vote: Ayes Lattanzio, Nash, Furst, Angelopulos; Nay Fehring
Motion Carried.

Motion to add a surveillance camera to the porta-potty area, not to exceed \$500.
Moved by Director Lattanzio; Seconded by Director Nash
Directors Vote: Ayes Lattanzio, Nash, Furst, Angelopulos; Abstain Fehring
Motion Carried.

DM instructed to research a DoorKing lock system for the structure.

DM to pursue parking lot lights.

VIII. NEW BUSINESS

- a. Retention of New Counsel – Item moved to be heard after Consent Calendar.
- b. BMKCS D Policy regarding BBQing in the Community.
Board discussed BBQing within neighborhood and reiterated the normalcy and the practice widely accepted within the BMK Community.
Moved by Director Nash; Seconded by Director Lattanzio
Directors Vote: Ayes 5
Motion Carried.

IX. WATERWAYS

X. PARKS AND OPEN SPACE

XI. ITEMS OF COMMUNITY INTERESTS

- a. Conference Call with SF-based Pattern Energy Re: Battery Storage in adjacent wetlands
Vince Lattanzio, Michael Gadoua, Yvonne Young, and Linda Pollack, participated in an introductory Zoom call on 3/19/24 with Taylor Schendel and Adhar Johnson of Pattern Energy. Information was exchanged and conference calls will continue in the future. Director Lattanzio made suggestions as to alternatives to actually constructing a battery storage facility (e.g., donating the purchased wetlands to a non-profit so as to make Pattern Energy a hero within the environmental community) as the safety concerns of such a facility are dangerous and a threat to BMK and the environment. Director Lattanzio also asked for a copy of the permits allowing them to remove from the land to the Pacheco Slough. The Pattern reps said that they will get us copies of the permits. Pattern Energy's website reflects good work in sustainability of wetlands. Director Lattanzio read to the reps, their own quotes from their company's website.
- b. Conference Call with SCC and USACOE Re: Conveyance of South Lagoon Levee is scheduled for March 28, 2024 at 10:30.

XII. FUTURE AGENDA ITEMS

- a. Approval for an aerator system to be situated for South Lagoon.
- b. Approval to pay for *Keep BMK Thriving* publication.
- c. To be revisited whether the porta-potty needs a lock.

XIV. ADJOURNMENT

All matters before the Board being addressed - Motion to adjourn.
Moved by Director Lattanzio; Seconded by Director Angelopulos
Directors Vote: Ayes 5
Motion Carried.

Next regular meeting: April 18, 2024