



Bel Marin Keys Community Services District

BOARD OF DIRECTORS OF THE BEL MARIN KEYS COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 25-03

A RESOLUTION OF THE BOARD OF DIRECTORS OF BEL MARIN KEYS COMMUNITY SERVICES DISTRICT OPENING A WELLS FARGO BROKER LIQUID DEPOSIT (BLD) ACCOUNT FOR MEASURE G FUNDING

WHEREAS, the Bel Marin Keys Community Services District shall continue to operate and provide services to its community:

WHEREAS, in the interest of the Community, situated funds shall accrue in a Broker Liquid Deposit (BLD) account for economical operation of the District, and

WHEREAS, controlling authority requires the separation of such funds;

NOW THEREFORE, IT IS HEREBY RESOLVED, that the Board of Directors of the Bel Marin Keys Community Services District, does hereby determine and approve:

1. The above recitals are true and correct.
2. A broker liquid deposit (BLD) account is opened at Wells Fargo Bank for Measure G funds.
3. Funds, designated solely for Measure G purposes, be deposited, transferred, and maintained in said broker liquid deposit(BLD) account, reserved for such specific purposes.
4. When obligations are due for payment and there are sufficient funds in the account so designated to pay such obligations, the District Manager may cause payment thereof to be made from this account, and transfer funds between accounts to ensure sufficient funding.

PASSED, ADOPTED and APPROVED this February 20, 2025, by the following vote:

AYES: **NAYS:** **ABSTAIN:** **ABSENT:**

IT IS SO ORDERED.

Vince Lattanzio, President
Board of Directors

Attest: _____
Lisa Lue
Clerk of the Board



Bel Marin Keys Community Services District

February 14, 2025

Wells Fargo Bank
1590 Grant Avenue
Novato, CA 94945

Attendance: Lisa Lue, Steve Nash, Kyle Tomik

Account type: Broker liquid deposit BLD currently @ 4.2%
Transfer: Measure G Checking and Savings account by wire transfer
Required documents: Three signatures, EIN number, Resolution on letterhead with address

Key Features and Benefits of Brokered Liquid Deposit:

- **Cash Alternative:**

BLD is designed to manage non-transactional cash needs within your investment portfolio.

- **Competitive Yield:**

BLD seeks to provide a rate comparable to an Institutional Money Market Fund.

- **Easy Access:**

You can quickly redirect funds for personal needs or investment opportunities by contacting your Financial Advisor.

- **Flexible:**

Brokered Liquid Deposit offers flexibility within your investment portfolio.

- **Same-Day Settlement:**

Deposit and withdrawal requests made by 3:00 p.m. EST will have same-day settlement.

- **Tiered Rates:**

Tiered rates apply to all BLD balances, with higher balances potentially receiving a higher yield.

- **Minimums:**

The initial minimum deposit for Brokered Liquid Deposit is \$100,000, and subsequent deposits require a minimum of \$10,000.

- **Eligible Account Types:**

Eligible account types include non-retirement and non-advisory brokerage accounts.

- **Not an Automated Sweep:**

Brokered Liquid Deposit is not an automated "sweep" program, and you must instruct your Financial Advisor prior to each deposit or withdrawal.

Lisa Lue

From: Mercy Angelopulos
Sent: Thursday, January 30, 2025 4:48 PM
To: Lisa Lue
Cc: Steve Nash; Mercy Angelopulos
Subject: Fwd: Sunset Beach Park

Hi Lisa,

I don't see you on the recipients list. Did you receive this email? Want to make sure you are in the loop.

Please remove Chris from the email list as a bmk-recipient, to avoid confusion, as well as others that are no longer in a bmk-position.

Thank you.
Mercy

----- Original Message -----

Subject: Sunset Beach Park
From: Penny Moreci <penny.moreci@gmail.com>
Sent: Wednesday, January 29, 2025, 3:05 PM
To: "Vincent P. Lattanzio" <vlattanzio@bmkcsd.us>, Cheryl Furst <cfurst@bmkcsd.us>, Mercy Angelopulos <mangelopulos@bmkcsd.us>, cfehling@bmkcsd.us, Steve Nash <snash@bmkcsd.us>
CC:

Directors:

After reviewing the Minutes for the January meeting of the "Measure A Parks & Open Space Committee" I have some questions/concerns.

- 1) I have attended a Park Space Committee meeting as well as two recent CSD meetings and did not see that "lots of people at the meeting(s) who did not speak were in support."
- 2) How/why would this issue turn into an objective by the board?
- 3) There were repeated statements that all residents are "paying the same tax now." It is true that the same PARCEL tax is being paid by all, HOWEVER, we do not all pay the same property tax. Shouldn't the Directors make this abundantly clear?
- 4) The question whether Measure A \$\$ can be used for a gated (private) park was brought up. It is stated that "Vince advised YES." May we see an official answer to this very important question. I heard a couple of speakers advise "NO" to that very question.
- 5) It has been stated that property values will increase for all. This is simply not true. In fact, the opposite will likely be the case for many homeowners.

Additionally, it has come to my attention that there has been a list of "supporters" collected by the Parks Committee. I, nor anyone I've asked, have ever seen a questionnaire seeking comments, for or against, the proposed beach park. Also, is it true many names listed are those of children/infants? I attended the December Board meeting and there was no such list submitted at that time.

I look forward to attending the February CSD Meeting where, hopefully, some or all of these concerns will be addressed.

Thank you,
Penny Moreci
12 Bahama Reef

February 19, 2025

RE: Proposed Dock(s)

TO: Bel Marin Keys Board:

My husband and myself are original owners of the house on 10 Cavalla Cay. Having lived at BMK for 35 years, we are pleased with the lifestyle our community affords yet also concerned that there is very little enforcement when rules and regulations are not followed properly.

It is our understanding the President of the Board and perhaps others, have made unilateral decisions regarding granting rights to build docks to the condo and apartment owners across the lagoon from us. On the face of it, this appears to be an illegal use of their position which is of great concern to us. We were never consulted about this, and we directly face the affected area.

It is my understanding of laws that any material changes must be approved by affected neighbors, which we would be. I would ask the board to provide the legal basis, in writing, for allowing this to occur. It would make sense for us to consult an attorney on this matter and seek to review the decision-making system that was involved in this matter.

Furthermore, there is no enforcement of the water laws that we can see. Some boaters in our area often exceed the no-wake requirement, yet there is no water patrol to fine them or stop them. With adding new docks to a very quiet end of the lagoon, who is going to oversee that all the rules are followed?

Insurance is getting harder and harder to come by for both property and liability. Who is going to set and enforce the insurance requirements for them to include liability arising from use or improper use of the docks?

At this point, I would suggest board members be cognizant that allowing docks to be built is going to create major hassles and perhaps legal liability for the board. We don't need this kind of negative energy in our lovely community.

Susan & Alan Preston
10 Cavalla Cay

Kelly O'Haire & Rowland Yerkes
71 Caribe Isle
Novato, CA 94949
415-828-9458

February 18, 2025

RE: Objection to Granting an Easement of CSD Land to The Gardens HOA

Dear BMKCSD Board,

Sometime in 2023/2024, the President of the CSD Board made some inappropriate intentions to grant an easement of CSD land to The Gardens HOA in exchange for votes on Measure A (a parcel tax). The promises should never have been made and could never have been guaranteed. This should have been obvious to The Gardens, because there was an election of Board members pending, and the Measure A tax was not intended to build parks or fund private docks.

History of "Hudson Park" (Private Gardens Marina)

In 1978, the BMKCSD Board attempted to sue the developer of The Gardens (intended as apartments), in order to stop the construction of a dock on the North Lagoon, currently known as "Hudson Park." It is located just east of Caribe Isle north. The legal matter was filed against Mr. West, the developer, in bankruptcy court. The matter was dismissed due to lack of jurisdiction, and a private marina with boat slips was constructed. This set of docks was constructed for the exclusive use of residents of The Gardens.

During the many years that I have lived in this neighborhood, the dock at Hudson Park was neglected and became dilapidated. There were boards sticking up in the air and it was a water hazard. There are CSD minutes from 2013 that confirm this:

Old Business

A. The Garden HOA Dock update: Call for special meeting for review of plans

The Board expressed their disappointment due to lack of action and communication from the Gardens for they were to keep CSD updated and were told they were close to signing a contract and begin demolition. The docks are a hazard (liability to swimmers/boater) not usable/safe; want them to be hold (sic) accountable and do the repairs in a timely fashion. The Board is requesting the dock configuration plans/material used for new dock and request they will require demolition plan and procedures...

At some point, there was a proposal by the Gardens to have a smaller dock on the North Lagoon, in exchange for another dock on the South Lagoon. This request was denied by the Board. A former Board member tells me that it was stated/agreed upon there would never be docks built on the South Lagoon.

History of Illegally Built Docks on CSD Property

A number of years ago, neighbors came to me and asked me to help them get something done about the assortment of self-installed wooden platforms and other small docks installed on the shoreline property owned by the CSD and constructed by residents of The Gardens. Parts from these docks would often blow away and into our waterways/yards during storms. They were illegally installed on CSD taxpayer property. I took the complaint letters of residents and photographs, and my own photographs, and I went to the CSD Board with a consolidated complaint, asking for action and removal. The CSD Board sent a letter (or more than one) to the Gardens with no response. It took about three years to get these illegal platforms removed, from start to finish. I believe the CSD removed them, except for the large plastic dock, which was removed by a different person, who did not live in the Gardens.

History of Lack of Maintenance

The Gardens is responsible for their marina at Hudson Park, and for the sidewalks in front of their property and trees on the property. For many years, neighbors have complained that the sidewalks are in disrepair and a tripping hazard, and the trees are not maintained, as they fall in the roadway during the storms. We have been told that they lack the reserve funds to address these issues.

COVID Problems

During the time of Covid, this small area of the community was overrun with people launching boats, fishing, swimming, kayaking and paddle boarding in our lagoons. If you did not live in our small lagoon, you cannot appreciate the difficulties experienced during this time. There were people unable to swim, falling off of paddle boards, often with small children and never with PFDs. These folks would climb onto our docks and try to get out of the water on the shoreline and in our yards. There was fishing at 2am, by flashlight, right outside of our bedroom windows, and a number of other difficult problems to address due to the over-population of this small area. For the first time in my life, I considered moving. We don't ever want to see this happen again.

Town Hall Meetings, Board Meetings and Attempts to Hide an MOU with The Gardens

During the summer of 2024, I attended the meetings regarding "Sunset Park." During one of these meetings, the Board President mentioned something about docks and The Gardens. When I asked where these were going, he yelled at me and stated, "Who wants to know?"

How can this be the standard for a community government?

At the December 19, 2024 CSD meeting, when most people had gone home after the discussion Sunset Park, the Board discussed an MOU with the Gardens HOA, proposing a grant of an easement on CSD property, in order to build two boat docks. I spoke about this issue at Public Comment, because it did not appear on the agenda. It was mentioned that the MOU document was received just before the meeting (this is also in the minutes). That information must appear on an agenda to be discussed. This is a Brown Act violation.

Changing MOUs

The first MOU (signed by President of Board on January 10, 2024, without public notice) granted an easement for use by all BMK residents. The next copy deleted this reference, without any public meeting or public discussion.

Objections to an MOU with The Gardens:

#1 Safety

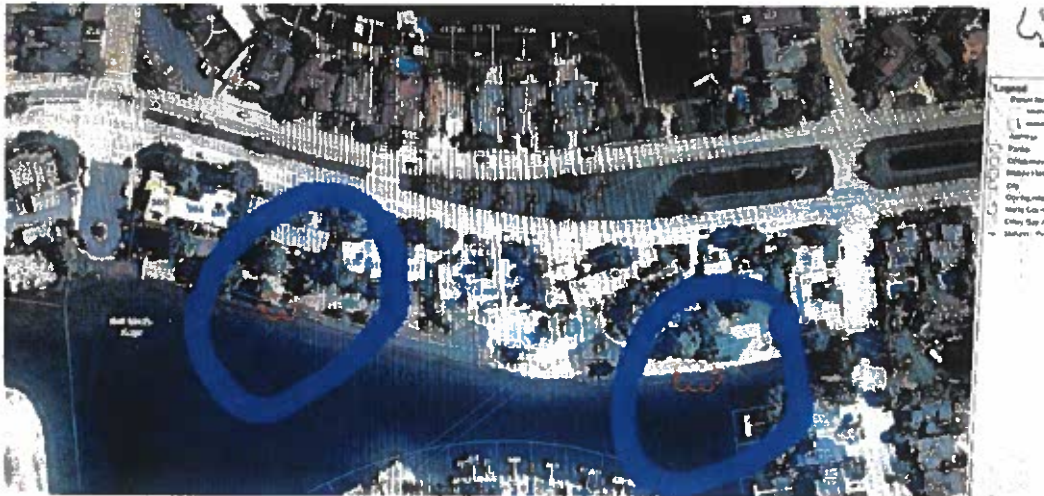
The proposed location is the only location where boats can safely turn around at the end of the lagoon. If you do not live in the immediate area, you would not know this. This is a narrow waterway and the CSD property adjacent to 10 Cavalla Cay has eroded into the waterway, causing a shallow area that is not passable by boats (I have brought this issue to the CSD Board meetings several times in the past years, and I was assured the CSD would put this area on the dredge list.).

The objections of many neighbors have been the following:

- The Gardens has a private dock and marina across the street. This has a swim platform and pull-down ladder. Over the years, it has not been well-maintained. This is rarely used. They do not need more docks. Why do they need two additional docks when they do not use the one they have?
- The CSD is spending thousands of dollars on legal fees and man hours on this project for The Gardens.

- The Gardens has failed to maintain the sidewalks, recently painting the trip hazards with red spray paint.
- The Gardens have installed many illegal docks on CSD property over the years, and there is currently one to the rear of 900 Bel Marin Keys Blvd. It took many years for the CSD to remove these in the past. There is a record of no accountability.
- Neighbors have valid concerns about overuse in this small area, illegal access, CSD liability and lack of maintenance.
- The CSD's own lawyer has stated that the MOU is not enforceable. This presents a number of problems when things go wrong (and there has been a long history of that).
- There is currently no requirement for The Gardens to provide insurance for this use of CSD land.

If there is a sense that the Measure G tax has disenfranchised some of the BMK residents, that should be dealt with in a different manner. Many people have spoken about "returning" the money. Let's find a way to pass legislation that lowers the tax for the creek and condo residents, rather than pushing forth projects that no one has asked for. The CSD should not be giving away land rights that belong to the community.



Sincerely,

Kelly O'Haire (& Ron Yerkes)
 71 Caribe Isle 415-828-9458
 kohaire@gmail.com

From: joe stevenson <jvcstevenson@gmail.com>

Sent: Saturday, December 21, 2024 4:43:48 PM

To: Lisa Lue

Subject: SUNSET PARK AND CONDOMINIUM BOAT DOCK PROPOSALS

Dear BMK Board of Directors:

I have been a property owner in Bel Marin Keys (BMK) for over 35 years. I purchased the property because I wanted water access in my backyard. If there was no water access, I would have purchased somewhere else other than BMK. I would not have contemplated buying in BMK with the hopes of someday having some form of water access.

I fully support the necessary dredging and fixing the locks. This is fundamental and necessary. What I strongly object to is the

development of a swim park in the Sunset Lagoon and the docks for the condo's. I was not sure where these ideas came from until I attended the December 19, 20204 board meeting. It appears these items were added behind the scenes in order to have support for measure G that I voted against because of the added non-essential items.

SUNSET PARK

This will be a huge liability for the rest of the community! Who/what will monitor activity? What are the costs to maintain such a park? Are we sure there are funds from Measure A? If not, then what? If measure A funds are used, does that mean the rest of Novato can use this park because they are public funds?

This kind of setting usually attracts heavy alcohol drinking and partying? Who will control it? The community is liable if someone gets hurt. The advocate's for this park at the Dec. 19 was not too concerned about the liability issues and all rules appeared to be on the honor system.

Who will control what water equipment is being stored in this swim park?

I'm assuming there will be some kind of porta potty? That will have its issues. Especially if it gets serviced once per month!!

Sandy areas usually attract animals and use it to relieve themselves. Not very appealing.

This has all the makings of being one big eye sore with a huge liability and additional expense for the community.

The board is investing a lot of time and money to create headaches for the rest of us!!

CONDOMINIUM BOAT DOCKS

I'm in the business of working with HOA's throughout Marin County and from my point of view, the condo's that will be getting docks appear to be in need of maintenance and repair. If docks are built, who will fund it? Who will maintain it? Who will control the abandoned paddle boats, kayaks, boats, etc,.

The board should have been getting written consent approval from the homeowners most affected by these site proposals. Has this been done? If so, I would like to get a copy.

Having a few selected minority groups impose their will in the majority is not acceptable and hope the Board rejects these proposals.

Joe Stevenson

75 Caribe Isle

Novato, Ca

Michael & Anita Chiesa

67 Caribe Isle
Novato, CA 94949
415-382-7807

January 10, 2025

Bel Marin Keys CSD

Dear CSD

It has just come to our attention that The Gardens Condominium HOA has requested an easement on CSD property directly behind the condominium to build multiple boat docks.

We are writing to express our unequivocal opposition to this project. We firmly believe that these docks would have a substantial negative impact on the homes situated directly across the waterway, as well as the broader boating community attempting to navigate this narrow waterway with docks and boats on both sides.

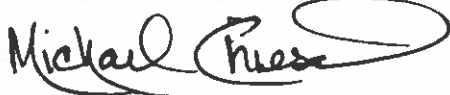
As you are aware, The Gardens Homeowners Association HOA has exclusive access to a private dock situated directly across the street from their property. This dock grants them unrestricted access to the BMK waterways. There is no need for additional docks! Furthermore, the HOA has demonstrated a challenging track record in maintaining their own property. Notably, the sidewalk area is in dire need of repair, as evidenced by the numerous instances where I have tripped while walking. I am aware that the HOA is aware of this issue, as they have painted red numerous areas of concern.

In conclusion, we urge the CSD board to consider our concerns, as well as those of our neighbors, with utmost seriousness and deny granting this easement.

Sincerely,



Michael & Anita Chiesa



Susan Zidek
14 Cavalla Cay
Novato, CA 94949
415-342-9280

To: Community Service District Bel Marin Keys

My name is Susan Zidek, I am the original owner of the address listed above. (14 Cavalla Cay) I was present at the December 19th meeting held at the Yacht Club regarding the Sunset Park proposal.

Since the meeting- A flyer was left at my front door showing an addition of 2 large docks/platforms that condos plan on installing, one of which would be directly cross from my property. Several years ago, a homeowner from the condos placed a dock/platform in this same area as the proposed dock/platform (2024-25). The owner refused to remove it and installed it without permission. Fortunately, the dock was removed several years later, when the owner moved. The condos have several boat slips and a dock already.

We, the homeowners on Cavalla Cay whose backyards face the Condos were told the greenbelt we look at would always remain in that natural state (1988). There would be no additions to the waters edge. The condo have their own boat slips and dock on the other side of the Bel Marin Keys Blvd.

We do not need new docks that will require more maintenance and extra liability. Honestly, the side walks in front of the condos all along Bel Marin Keys Blvd are tripping hazards. My father tripped while out walking several years ago. Since then, the fix has been to spray paint the lifting of the uneven pavement. Funding would be well spent maintaining and updating the sidewalks and equipment already here in the neighborhood.

Sincerely,
Susan Zidek

SPECIAL CSD MEETING
PARKS/OPEN SPACE COMMUNITY WORKSHOP
SEPTEMBER 15, 2015
Feedback and comment card

Please provide comments for existing facilities that are planned and remain as part of the parks and open space.

1. Do you use the parks?
A. Yes B. No
2. How often do you use the parks?
A. Never B. 1-3 times per week C. Every day
3. Which park do you use more frequently?
4. Do you use the open spaces?
B. Yes B. No
5. How often do you use the open spaces?
B. Never B. 2-3 times per week C. Every day
6. What concerns if any do you have about the park and or open spaces?
7. What improvements would you like to see at the parks?
8. What improvement could be made to open spaces?
9. Any additional comments?

2. Existing Facilities & Amenities These are the existing facilities that are planned to remain as part of the park. Please prioritize these items based on need for maintenance and upkeep.

	Low Priority (not a concern to you)	Medium Priority (maintain as is)	High Priority (need repairs/upgrade)	Rating Average	Response Count
1 Ballfields	19.0% (19)	52.0% (52)	29.0% (29)	2.10	100
2 Tennis Courts	14.4% (14)	44.3% (43)	41.2% (40)	2.27	97
3 Play areas (general)	6.1% (6)	55.6% (55)	38.4% (38)	2.32	99
3a. Play Structure - Ship	12.2% (12)	64.3% (63)	23.5% (23)	2.11	98
3b. Play structure	8.2% (8)	66.0% (64)	25.8% (25)	2.18	97
3c. Climbing wall	14.3% (14)	64.3% (63)	21.4% (21)	2.07	98
3d. Tire Swing	15.2% (15)	64.6% (64)	20.2% (20)	2.05	99
3e. Swings	6.1% (6)	65.7% (65)	28.3% (28)	2.22	99
3f. Spring Toy	22.2% (22)	58.6% (58)	19.2% (19)	1.97	99
4. Natural areas	11.1% (11)	42.4% (42)	46.5% (46)	2.35	99
5 Benches	2.0% (2)	41.4% (41)	56.6% (56)	2.55	99
6 Litter bins	1.0% (1)	34.7% (34)	64.3% (63)	2.63	98
7 Picnic tables	6.3% (6)	42.7% (41)	51.0% (49)	2.45	96
8 Portable Toilet (seasonal)	8.2% (8)	37.1% (36)	54.6% (53)	2.46	97
9 Signage	21.4% (21)	54.1% (53)	24.5% (24)	2.03	98
10. Flower garden	13.1% (13)	55.6% (55)	31.3% (31)	2.18	99
11 Trails	3.0% (3)	38.0% (38)	59.0% (59)	2.56	100
12 Sidewalks	15.0% (15)	49.0% (49)	36.0% (36)	2.21	100
13. Parking Lot	25.3% (25)	36.4% (36)	38.4% (38)	2.13	99
14 Fencing	33.7% (32)	44.2% (42)	22.1% (21)	1.88	95
Did we miss an existing facility or amenity? If so, please tell us and rank it using the above scale.					16
			<i>answered question</i>		100

From: STOP BMK BATTERY STORAGE <stopbmkbatterystorage@gmail.com>
Date: February 17, 2025 at 11:46:28 AM PST
To: STOP BMK BATTERY STORAGE <stopbmkbatterystorage@gmail.com>
Subject: Fwd: Edited: Your Voice is Needed: Support AB303 for Safer Energy Storage!

Dear Friend,

The recent fire at the Battery Energy Storage Systems (BESS) facility in Moss Landing has shown just how dangerous these systems can be. This is what is contemplated for our community at some point. Despite the industry's repeated claims of having solved the problem, there have been **91 BESS incidents in the past three years**. This highlights a clear and undeniable fact: **safer, more effective solutions for energy storage are needed**.

That's why we're rallying behind **Assembly Bill 303**, which calls for stronger regulations and safety measures to protect our communities from these risks. And the best part? It only takes **one click** to urge your representatives to lend their support.

Here's how you can help right now:

1. **Sign on to AB303** – your participation sends a powerful message to our lawmakers. [Find it here:](https://link.edgepilot.com/s/c56685e7/4Z_cS4d2kyrZHvCXPrqUA?u=https://mgcp02.engage.squarespace-mail.com/r?m=67ab930df6c6e56717cd0161%26u=https%253A%252F%252Fsafeenergystorage.org%252Findex.php%26w=6500a7b490df0115a28dcd61%26c=b_67ab829eb8354a17e4269043%26l=en-US%26s=qSQhD8eLH1NeoVBTqy-0p24jnc%253D)
https://link.edgepilot.com/s/c56685e7/4Z_cS4d2kyrZHvCXPrqUA?u=https://mgcp02.engage.squarespace-mail.com/r?m=67ab930df6c6e56717cd0161%26u=https%253A%252F%252Fsafeenergystorage.org%252Findex.php%26w=6500a7b490df0115a28dcd61%26c=b_67ab829eb8354a17e4269043%26l=en-US%26s=qSQhD8eLH1NeoVBTqy-0p24jnc%253D
2. **Spread the word** – Share this email and encourage others to take action.
3. **Read the key resources** to understand the importance of AB303:
 - [Fire risk ignites battery site fears - Press Democrat](#)



Fire risk ignites battery site fears - Press Democrat

• [A Battery Fire Deposits Heavy Metals into Elkhorn Slough - Bay Nature](#)



A Battery Fire Deposits Heavy Metals into Elkhorn Slough - Bay Nature

Jillian Magtoto

Three heavy metals were found at concentrations thousands of times greater after the fire. The implications for ..

• [A California Battery Plant Burned. Residents Have Gotten Sick, and Anxious.](#)



A California Battery Plant Burned. Residents Have Gotten Sick, and Anxious.

Heavy metals detected in the soil have posed a threat to
individuals in Madison County's agriculture industry.

We cannot afford to wait any longer. Together, we can ensure safer energy storage solutions that protect both our environment and our communities. Add your voice today! And send this on to others!

Thank you for your ongoing support!

Sincerely,

Yvonne Young & Linda Pollack
STOP BATTERY STORAGE IN BMK

Links contained in this email have been replaced. If you click on a link in the email above, the link will be analyzed for known threats. If a known threat is found, you will not be able to proceed to the destination. If suspicious content is detected, you will see a warning.