



**KEEP BMK
THRIVING
INFO PACKET**

**MEASURE G
VOTE MARCH 5TH**

FOR MORE DETAILS PLEASE SEE
www.keepbmkthriving.com



Bel Marin Keys Community Services District (CSD)

The CSD is a local government agency that provides infrastructure and services to our community that are **NOT** provided by County funding. It is run by a community-elected Board of five Directors.

THE BMK COMMUNITY PROVIDES THE FUNDING and the CSD -- with professional guidance and oversight -- allocates the money for improvements and other infrastructure projects.

SOURCES OF FUNDING

EXPIRED BOND MEASURE E	Provided funding for levee repairs. It has expired after 20 years and no longer appears on your Property Tax Bill (was CFD #2001-1 on your old Marin County Property Tax Bills).
EXPIRED BOND MEASURE F	Provided funding for dredging. It has expired after 20 years and no longer appears on your Property Tax Bill (was CFD #2001-2 on your old Marin County Property Tax Bill).

Money from Measures E & F was used to dredge the Creek & Lagoon several times to repair and improve the locks, culverts and levees, and to purchase the land the CSD uses for dredge spoil disposal. Over 100 projects were completed within budget and schedule over the last 20 years.

CURRENT & ON-GOING PARCEL TAX D	Measure D was approved by BMK voters in 2001 and increases by 2% each year. In 2023, the annual Measure D parcel tax was \$773 per household, which amounted to \$541,220. This funding is to maintain existing and new community-wide marine facilities and related administration and management.
CURRENT & ON-GOING 0.001% OF ASSESSED PROPERTY VALUE	The CSD receives 0.001% of the assessed value of all BMK parcels from the County, which amounted to \$620,046 in 2023. The money is used to fund community services, staff, legal, insurance, landscaping, park and lagoon management and maintenance, facilities and all expenses of the District.
CURRENT & ON-GOING BY VOTE MEASURE A	Measure A was a county-wide measure that was passed to fund park and recreation improvements. This brings in about \$58,000/year. These funds are to be used only for parks and recreational facilities and cannot be used for any other purpose.

THIS FUNDING IS TO IMPROVE AND RESTORE OUR 50 YEAR-OLD MARINE INFRASTRUCTURE, WHICH WE MUST DO TO MAINTAIN OUR WATERFRONT COMMUNITY AND ENHANCE FLOOD PROTECTION.

PROPOSED: MEASURE G PARCEL TAX

Measure G, a proposed Parcel Tax by the CSD, will provide funding for 21 years and then expire. MEASURE G will replace the funding previously generated by Bond Measures E and F.

- ❖ Engineering consultants have estimated that BMK will need \$31.5 million for marine infrastructure and on-going maintenance over the next 21 years.
- ❖ **Measure G** money can only be spent on those project categories as described in the Measure and the tax is legally limited to those identified projects, similar to a Bond.
- ❖ The CSD has a prioritized project list based on recommendations from our consultants. This list is available on the CSD website or at the office. Top priorities include locks, lagoons and levees, flood control, watershed and creek restoration.
- ❖ An Oversight Committee of 12 BMK residents will review and recommend proposed expenditures from **Measure G** prior to board approval.
- ❖ An outside annual audit is also legally required.

Measure G closes the gap in the funding needed for maintenance, replacement and reconstruction of our marine infrastructure, including our aging locks, levees, lagoons, waterways and flood control.

Why did the CSD recommend a Parcel Tax instead of a Bond?

- ✓ In Town Hall meetings, Community input favored the Parcel Tax
- ✓ **A BOND MEASURE WOULD COST EACH HOMEOWNER 38%-42% MORE THAN A PARCEL TAX OVER THE COURSE OF 21 YEARS.** This is because a Bond measure incurs legal and administration fees plus interest charges, and a Parcel Tax does not
- ✓ **IN ORDER TO GENERATE THE SAME AMOUNT OF PROJECT FUNDS, A BOND WILL COST APPROXIMATELY \$12 MILLION MORE**
- ✓ Though Bond Measure money comes in faster, these projects take years for design, permitting and engineering. By the time we are ready to begin work on the locks, we anticipate having enough Measure G tax money accumulated
- ✓ Both a Parcel Tax and a Bond legally require the CSD to spend the money on identified categories of projects

WHAT DOES MEASURE G - PARCEL TAX COST?

TOP 10 REASONS TO VOTE YES ON MEASURE G

1. **BMK's marine infrastructure is aging** and is in continual need of repair and restoration - as is common in marine environments.
2. We must **continue to invest in BMK'S unique waterfront community** by replacing the expired funding from Bond Measures E and F, which lapsed in 2022.
3. To provide flood control to **safeguard against the higher risk of potential flooding**. See video of the locks at www.keepbmkthriving.com
4. If action isn't taken to maintain our locks, lagoons, levees, creeks, and parks, our **property values will decline**.
5. **Trusted experts advised BMK's elected CSD Board** to identify, prioritize, and budget proposed future projects. Listed on www.bmkcsd.us
6. The CSD Board has a **fiduciary and ethical duty** to make decisions for the long-term interests of the community. Projects will be managed by a **community oversight committee**.
7. **100% of Measure G - Parcel Tax funds go directly** toward the projects. Over the 21 years, a Bond Measure would cost **over \$12 million more than a Parcel Tax** due to interest and admin fees. Each resident would pay about \$1,000 more annually, or \$21,000 more over the duration.
8. Measure G funds are **legally required** to be spent on specific project categories, as outlined in the Measure.
9. Of the \$31.5 Million this Parcel Tax will raise, \$5 Million is allocated to the Novato Creek.
10. A **single parcel tax** to address all marine infrastructure needs is **more efficient** than the process of passing separate bonds or taxes for individual projects.

- **\$150/monthly** or \$1,800/annually per parcel. Measures E and F previously cost on average \$110/monthly.
- As in the past, the annual rate will increase over the life of the measure. Measure G will increase 2.5% annually.
- Measure G - Parcel Tax **expires in 21 years** or in 2045.
- In comparison to other waterfront communities that pay between \$500-\$900 per month in HOA fees, **Measure G - Parcel tax at \$150 per month is an absolute bargain to maintain and improve our beautiful unique marine community.**

WHY SHOULD A PARCEL TAX APPLY EQUALLY TO ALL RESIDENTS?

- The HOA assessments paid by some residents are for the upkeep of their buildings as well as landscaping and **resident-use only amenities** such as a pool area, resident park and dock.
- Single-family homeowners are **personally responsible** for maintaining and improving their homes and properties, such as docks, roofs, and yards.
- **The entire community is equally responsible for caring for our marine infrastructure. The funds raised by Measure G will benefit the ENTIRE community.**

*In BMK, we value communication and the sharing of information that benefits everyone. Recently, we've seen information circulating that questions whether **Measure G - Parcel Tax** is the right vehicle to raise the funds needed. As we share perspectives, **it's essential to ensure the accuracy of the information we exchange**, as misinformation can unintentionally cause confusion and impact the harmony of our community. **After taking the time to understand the facts, we know Measure G - Parcel Tax is the answer.***

We need every BMK resident to VOTE YES on MEASURE G on the March ballot to support the needed funding for our precious waterway infrastructure.

For more information or to share your ideas: Contact: Candra Canning at 530-277-9502 email info@keepbmkthriving.com or Visit - www.keepbmkthriving.com

Paid for by the YES on Measure G Committee/BMK Neighborhood Alliance Group

NEW TOWN HALL Q&A – 2.19.24

1. If Measure G passes; how many bids/proposals will be obtained for the work needed & how will it be determined which of those proposals will be accepted & put into contract? It is my understanding that municipalities are legally required to have several bids in place prior to having projects done. Is (or is that not) true for BMK? From one of the past meetings it seemed that it has already been decided that a contractor who has experience in BMK is already the decided contractor. Why?

We as a CSD must follow public contracting laws which requires advertising and obtaining several competitive bids from qualified contractors. We always try to obtain a min of three bids, as we have historically with all our major projects. We have to accept the lowest responsible bid but if we get less bids than we wanted or the bids are above our budget we typically reject all bids, adjust scope or design, and rebid the project. OR we negotiate with the lowest bidder to get it closer to our budget.

The only exception to standard public contracting laws, are for small maintenance projects under \$35,000. This allows maintenance to move forward with one qualified bidder to save time and money.

Much of our marine related work requires experienced specialty contractors, and there are many that have worked in our community or similar communities that we request bids from on projects and have had successful experiences with. However a dredge contractor would not be asked to bid on our lock or levee projects.

In past meetings we informed everyone that we worked with experienced contractors and engineers whom have done work in BMK many times to determine the initial list of necessary projects and cost estimates. Once the tax is passed, THEN specific projects will be prioritized, approved, designed, engineered, permitted, and bid to get project specific costs.

NEW TOWN HALL Q&A – 2.19.24

2. Regarding the connector that runs under the Blvd connecting the two lagoons: Why was it retired & filled years ago? Why is it now being considered for reopening? If it is for flood control of the north lagoon, how will the level of the south lagoon be returned to its normal level after the threat of flood has ended? Is it true that the south lagoon is about two feet lower than the north lagoon in elevation? If yes, this must be considered.

The history of the connector tube abandonment is not well documented. In speaking with past board members there was some concerns of vandalism of the house that was located in the center of the moat and the connector tube was thought to be unnecessary once the S lock was installed (?) all before my time.

The South lagoon is 2' lower than the N lagoon and has no other way to release water when the creek is high due to storms and high tides. We would have to install a flood pump system to lower the N lagoon and that may impact the creek flow and backup.

The idea of restoring the connection pipe is to use a gravity system to lower the N lagoon with tide gates at each end would also require that the S lagoon be provided with an additional larger overflow system that empties into the 300 acre BMK Flood pond release area on the other side of the S levee to manage and maintain levels in the S lagoon.

Again a gravity system that is not mechanical is a preferred solution, where ever possible, and advised by engineers. This idea was initiated due to the increased need to have another method to control the N lagoon levels during increased intensity and frequency of storm events.

NEW TOWN HALL Q&A – 2.19.24

3. Regarding the 12 person Oversight Committee (if Measure G passes):

How will these volunteer residents be selected to represent the entire community? What if 12 people do not volunteer? What if you have 40 people volunteering for the 12 spots? For example: the proposed "lagoon access park", how would that be decided if it is actually feasible and supported by the residents?

The oversight committee would be made up of 12 residents from different areas in the community, they would apply to be on the oversight committee, and would be organized by location in groups and try to have all areas of community represented, once grouped by area. The CSD board would review all submittals and select 12 members, and 12 additional "substitute members" that would allow for subs to sit in when the member is not available. We have a notice in N2N and have already received interest from community members.

4. Spot dredging was briefly mentioned at a past meeting. Kindly give more information on when that will be done, and how residents are to make that specific request for the areas at their homes that are now very shallow. What funds will cover that expense?

'Spot dredging' would be covered by measure G AND measure D to allow for minor spot dredging from the dredging funding. A hydrographic survey would be performed to indicate need and benefit for both lagoons, after review by our marine engineering, the oversight committee, and approval by CSD board.

Residents may submit requests for areas they have a need for but the survey and Engineering review would get information to the oversight committee and board for a potential spot dredge project. The complexity in the past had required docks to be removed and we want to avoid that where possible.

PREVIOUS TOWN HALL Q&A – 2.4.24

1. What was the basis of projects + costs and how did you arrive at \$31.5 Million?

There are many complex factors. Marine engineering firms, marine contractors, and other consultants that have 20 years experience dealing with BMK specifically, have identified assessed needs and projects to address lock systems, levees, and flood control. This is a very special type of expertise that has very few qualified professionals and contractors in the industry. Also an important factor was resident input + 20 years of experience on the board that has completed over 110 projects already.

2. Why are smaller homes or parcels paying equally?

A parcel tax must be “uniformly applied” across all lots. When a parcel tax is not equal for all parcels it is often challenged as violating this law and results in litigation. Moreover, we are a very unique community. Failure of our marine infrastructure and related flood control systems will impact us all equally. We all have responsibility to care for our community, and the amount proposed (based on community input) reflects the uniform benefit we all receive.

3. Some of us already pay an HOA, how is that fair?

Any HOA fees paid in this community provides home and property maintenance on behalf of the owners. On the flipside, homeowners with out an HOA are directly responsible for all costs of maintaining their home and property. Measure G is directly addressing the shared community infrastructure and maintenance, which is all of our responsibilities, therefore it is fair for all to pay the same to maintain community, and in turn, our homes’ safety and value.

PREVIOUS TOWN HALL Q&A – 2.4.24

4. How did you arrive at \$1,800/year and \$150/month (for year one)?

We started with a mix of bonds and parcel tax and found it to be too high of a cost per parcel. After review of the board and input from residents in meetings, other ways were considered in order to lower the cost. Working backwards from the \$31.5 million needed, applying a parcel tax only, over 21 years, with an annual 2.5% increase, and eliminating the Bonds – we were able to reduce the cost to residents by approximately 40%

5. Will we be needing another tax to replace this tax in 20 years?

Our goal is to refresh, rebuild and improve our infrastructure so that using ongoing Measure D parcel tax would be adequate to maintain our marine infrastructure in the future and seek grants in future to fund new projects of benefit to community. However, infrastructure will continue to age, inflation will continue to rise, and over the course of 21 years there will be new problems to solve. Therefore realistically we may possibly require additional funding.

6. How will the projects be prioritized and how will they be overseen?

In the project list we have identified and prioritized the locks and levees totaling around \$7 million. Measure G parcel tax will be generating \$1.3 million/year and Measure D and operating budgets will supplement priority projects, we should be able to manage the priority projects in the first 5 years. This works out well, since it will require several years for design, permitting, and bidding of projects. Also there will be an oversight committee of 12 residents who will work with the board and district engineers to determine project priority and scope of work.

PREVIOUS TOWN HALL Q&A – 2.4.24

7. Are all these projects really needed? Are they defined? Is Measure G ongoing?

Absolutely yes, all projects are needed to preserve and improve BMK, as well as manage our community into the future. Measure G parcel tax expires in 21 years and is NOT ongoing. The projects with cost and timing are identified and can be reviewed @ www.keepbmkthriving.com

8. Will park improvements that provide better community access to lagoons be part of the priority projects and how would park improvements be funded?

We have heard loud and clear that lagoon access for all residents is a priority for the community. Funding for park improvements and addition of swim parks would come initially from Measure A + park grant funds prior to use of any Measure G money. Scope of work, location, and timing will be determined in partnership with the board, community input, and community oversight committee once formed.

PREVIOUS TOWN HALL Q&A – 2.4.24

9. Why weren't the locks fixed with Measure E & F money previously?

We have funded multiple lock improvement projects. The most important was adding micro-piles to the South Lock to stabilize this. Also added were fish screens required by NOAA (National Oceanic and Atmospheric Administration). A stop gate was included at South Lock to enable de-watering for maintenance. The North Lock electrical, cathodic protection, and switch gears were also replaced. The budget required for replacement of lock and sluice gates was not available in E or F. Measure E was primarily for levee reinforcement and raising which was completed as budget allowed. Again, budget was not available to complete entire levee at that time. Measure G will fund further necessary levee work, as well as lock and flood control work, including the creek.

Additional projects completed with expired E & F funding can be found @ <https://www.keepbmkthriving.com/faqs-3>

PREVIOUS TOWN HALL Q&A – 1.9.24

1. What would the approximate first year out-of-pocket cost be for the proposed projects if it were a Parcel Tax vs. if it was a Bond? **\$1,800 for parcel tax & \$2,800 for a bond**
2. Does the CSD have any funds left after the two **Bonds E & F** have expired? I understand that we have some sources of money but not enough to make the necessary repairs and improvements, in large part b/c those Bonds have expired. Is that right? **YES, we still have parcel tax D for maintenance and operations budget that is not adequate to cover infrastructural projects in measure G**
3. How much of the \$31.5 million is allocated to the Creek? I saw something that said that half of that amount is allocated to the Creek. Is that true? **NO, appx half of dredging costs [\$5M] will be allocated towards creek and watershed restoration**
4. There's been some confusion as to how the funds will be allocated. How can I, as a community member, see the details of the projects to which the funds will be allocated? **Please see full breakdowns at BMK website & display boards in person at CSD**

PREVIOUS TOWN HALL Q&A – 1.9.24

5. Over the next 21 years I will have paid around \$50k for the new Parcel Tax. If I do my math correctly, if this were a bond, that means I would be paying almost \$70k? **Bonds cost more money overall due to interest and reporting costs (appx 40% more)**
6. Because there is a lot of governmental money for climate change and flood control, I understand that if we pass the Parcel Tax that commits some money to the creek, we have the potential to be eligible for government matching. Is that right? **YES, we'll be eligible for grants & government matching funds**
7. I was told Parcel Taxes are on-going. Does Measure G ever expire? **YES, in 21 years** What about Measure D? **NO, this is ongoing for maintenance**
8. Why can't we just focus on one big project like the lock repair and raise funds for those projects in the short term. **Focusing on one project only, ignores the full scope of infrastructure repairs needed across the full community**

PREVIOUS TOWN HALL Q&A – 1.9.24

9. This is a question for Bill Euphrat, do both a Parcel Tax and a Bond Measure restrict what we can spend the money on? In other words, is the CSD limited to spend the money on what's identified in the Parcel Tax measure? **YES, see language in measure G**
10. Are there differences in "accountability" for stated use of funds between a bond issue and a special tax? In other words, how do we in the community know the funds will be used as expected? **YES, projects identified in board resolution and parcel tax restrict use + community oversight & auditing required per parcel tax language**
11. How much of the proposed tax increases are to balance our typical annual budget/expenses and how much is for non-recurring special projects such as lock repair and replacement? **NONE, Measure G is strictly for special projects outside of standard operating budgets and Measure D**