



Bel Marin Keys Community Services District

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BMK CSD Measure G Townhall Meeting Recap
Presentation documents, audio & video available for reference @ bmkcsd.us

1. CSD Informational Presentation – Vince Lattanzio

- Funding sources
- Expiration of bond measures
- Review of project list and cost estimates for Measure G
- Levees:
 - continuously sink, must constantly be maintained [armor and raise them]
 - need to transfer levee to our ownership, which is in process with Coastal Conservatory
- Lagoons:
 - North Lagoon, no longer can release water without opening locks, looking to reinstall pipe between north and south lagoon. Locks are a priority to fix and raise
- Creek:
 - Attack as a whole watershed, we expect state and federal agencies to partner with us, get grants, restore creek and full watershed. largest watershed in bay area.
- Very complex projects will take time for planning. For example, the locks will take several years to plan for, permit, and start execution. Measure G funds will be saved and accumulate until we are ready to launch on projects like this
- Measure A Funding:
 - This is for parks only, and some projects such as community beach and upgrades to existing parks will have this money allocated to these projects only
- Came up with the \$150 by working backward, what is the lowest possible amount the CSD can work with and that our neighbors, especially those on fixed incomes, can afford.
- CSD is legally obligated to use funds for purposes stated in resolution and ballot measure, just like a bond.
- Controls and accountability are required, and oversight committee will be formed from diverse section of the community to advise CSD what the community wants to see prioritized
- Measures E and F – 100% of projects were on budget and on time



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- Why parcel tax v. bond - 40% goes to bond costs, parcel tax all the money comes to us - showing analysis of bond v. parcel tax --- 1800 per year for parcel tax v. 2800 per year
- Early community input also favored parcel tax
- By the time we have projects planned we expect to have money saved from Measure G funds

2. Review of previously submitted questions with answers, see presentation slides 21-24

3. Attorney Bill Euphrat:

- Explains role with CSD
- Parcel Tax – A Pay-Go funding source, for ongoing projects and maintenance and repairs. Downside is you don't collect a very large amount of money for a big project up front.
- Bond – allows for a large amount of money to be available at one time for large project, and then is paid back over time.
- He recommends a mix of parcel tax and bonds, but CSD chose parcel tax only
- Parcel Tax can be used only for designated marine infrastructure and capital projects.
- Bonds do cost about 40% more but may be best if you need big sum up front.

4. Live Q & A + comments from audience – Fielded by Vince Lattanzio

Why doesn't City pay to take care of Novato Creek?

Prior efforts of City to raise funds for creek and watershed were unsuccessful, but now money is available from the City and many other entities, which all have interests and rights along the creek and watershed. Measure G includes money that we can allocate to partner with these entities as well as attract grants and public funds for the creek.

If we've been so successful in completing projects over the last 20 years, why are we in the mess we're in with the infrastructure?

Would not call it a mess, just ongoing maintenance and repair obligations. Completed every project for E and F, with exception of creek extensions - those owners paid back. Prior bond measures went mainly to dredging and levees, and we also made repairs to south lock that was not on piers and was sinking, and maintenance and replacement on the north lock to keep it operating. But bonds did not cover what was needed, and we need to constantly be making repairs in the marine environment. BMK replaced a lot of elements on the locks but not enough funding to replace as much as needed.

Happy to pay taxes, but why should we 12 townhome owners in Bermuda Harbor pay the same as SFH (single family homes) pay? Our 12 townhomes have same land mass as three SFH lots. That is an unfair tax. You need to consider variable tax for townhomes. And why isn't tax based on property values? (Condominium residents)

It is not legal to base this parcel tax on assessed property values, it's not a benefit tax. This parcel tax is for all of us, not just big houses, we all flood, benefit from being together. It is a uniform parcel tax. This measure is about the whole community and all our open spaces, not individual homes



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An example of parcel tax legality is *Leland Traiman v. Alameda Unified* involving a school parcel tax

NOTE: if anyone would like more information on this please reach out to the CSD and they will have Attorney Bill Euphrat provide more detail

How was 31MM derived... were there lower cost alternatives? Who did you rely on?

The costs that were evaluated were done with an engineering firm that had the most experience in this community on all the projects that were done over the last 20 years, going to another engineering firm that had no experience or knowledge with our community wouldn't have been beneficial. We also talked to contractors, company that just dredged for us. Many sources.

Why didn't you get multiple bids?

This is not simple work, and there are not many qualified engineers and contractors that can do the work and understand the complexities of the regulatory hurdles involved. If we went to get another engineer consultant that needed to start from scratch, it would require money to pay multiple engineers for proposals and estimates, as well as a lot more time.

***NOTE: In standard operating procedures, engineers provide a rough scope of work and then a rough order of magnitude for an initial high-level cost estimate. Once scope of work is fully defined and construction documents permitted, the CSD will bid out each independent project with multiple qualified contractors. CSD as a public agency is subject to public contracting law, which requires that we go through a fair and transparent bidding process and all qualified contractors have a chance to bid the work.*

Resident Comment (Madeline Montobio)

I just wanted to make a statement. Thank you, Vince and the Board, for all the extensive work that you do. It's just amazing. Thank you so much. Also, most of us don't have Homeowners Association fees. According to my knowledge, we have no HOA and these can be maybe \$450 a month for the Condos, so for all the all that we get in this community for \$1,800 is pretty amazing.

I cringe when I hear about multi agency projects - how will the CSD get anything done, and how long will it take? And how will you control costs when other agencies may not have same interest in controlling cost? (Cassandra)

We don't have a lot of money, not enough to do it alone. It's necessary to partner with larger agencies who has larger pockets, that is the goal. The Grant writer we have was the county engineer for the Flood Control district of this area, very knowledgeable and very well connected to many people.

***NOTE: Agencies we partner with also would have to follow public contracting law to bid out projects. It is not true that large governmental entities do not have a duty to spend funds wisely and have no cost controls.*

Resident Comment (Leila Tweed)

I took a hard look and asked myself should I vote yes or no. But information not complete, so can't figure it out. And we really need to repair the locks and should have a bond measure for the 6.0 million needed for locks. Locks are most important. And we have steady stream of 1.1 MM dollars with existing funding. Voting no because I can't get the answers I need. And CSD makes me wait 15 days for information. Why did prices go up in last 20 years... we must validate, dig deep into details, i just can't figure it out. I am working on detailed spreadsheet and to validate CSD numbers. We are not in a hurry, vote no on G while we figure it out, while we validate all



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figures, before signing on to 50K over the next 20 years. Vote no until we can wrap our arms around facts.

- Responses:
 - Vince: 15 days is the law. Vince revisited project details already discussed, reasons for decisions made, and clarified incorrect information.
 - NAG members (Matt & Karen): CSD budget and expenditures are transparent, and available on CSD website so it is not a mystery nor requires a request for the Freedom of Information Act. Measure G information and budget are also located on website. It's incredibly frustrating that community members have put in so many hours of time, distributed information, and held many informational meetings to now have it torpedoed last minute without asking questions or talking with anyone.

***NOTE: Agencies have 20 days to respond to official requests for records under the CPRA*

Do the levees meet US Army Corp engineer standards? (Linda Pollock)

No. The State Coastal Conservancy actually did not build their levees to those standards either. However, we are getting ownership of our levees from coastal conservatory, we should not have to pay... agencies transfer land all the time and we have been maintaining them. When we fix the levees, they will meet Army Corp of Engineering standards but will likely not meet FEMA because those are very very restrictive. Hamilton & Bay levees do not meet FEMA either.

I'm wondering why, Leila, you have not joined forces over the past 4 months to help create a solution?

Leila: I live in BMK part time and reside out of state on a golf course the remaining time. HOA fees for the golf course area are high @ \$850/month but I pay them

Zoom Comment: \$850/month for 21 years is \$214,200 – why are you upset about a \$50k tax

Resident Comments (varied)

- 1) We all don't dispute that we need money and need to fix things in our community it's just coming down to how we do it
- 2) Respect our board who we elected to make these decisions and work countless hours to better our neighborhood, and they have a fiduciary responsibility, so we need to trust them
- 3) We must do the work, and we elected this CSD board, so if you don't trust them then vote them out
- 4) We were previously paying appx \$900 and now we need to pay \$1800 and it's not cheap but it's not much in terms to every thing we have
- 5) Listening to both sides here, but losing 40% of the money we have for a bond is crazy