

Minutes of the Marina Bay Neighborhood Council

The meeting was called to order by new MBNC President Stan Anderson at 7:35 p.m.

Other officers in attendance:

Pat Kiely, Vice President
Barbara Norrish, Treasurer
Ruth Zablotsky, Secretary

Beat Officer's Report/Monthly Law Enforcement Report:

Officer David Longacre reported that there was only one reported crime in our area this past reporting period and it involved teenagers from outside the area. It was, unfortunately, a violent crime and was a rape. It occurred late night in Lucretia Edwards Park. The victim waited a week to report it; apparently she knew the perpetrators and they may have all been drinking.

Sgt. Tod Opdyke was present as well and his comments included the statement that we cannot close the parks at night. Night closure is up to the Parks Department.

(To "meet" Officer Longacre and Sgt. Opdyke, visit <http://www.marinabaycouncil.org/news-events/> for photos of them at this meeting.)

Miscellaneous questions were asked...here are the answers:

There are 186 officers in Richmond. Traffic calming equipment was requested for the Parkway and another person asked about rumble strips (not feasible as they create a fair amount of road noise that would be audible to adjacent homes). Sgt. Opdyke said enforcement is the key to keeping excessive speeding under control.

Sgt. Opdyke reminded everyone about an event on February 19, **Meet the Beat 1, Beat 2, Beat 3 cop in the Southern District**. Please click on the following link, <http://www.marinabaycouncil.org/news-events/> for information and a link to the RPD flyer. Scroll down a few inches on the page to the "item" called "Invite from Sgt. Tod Opdyke".

A question was asked about train horns. Stan addressed the "quiet zone" and the unregulated areas where trains are allowed to honk their horns. A railroad employee was present who indicated federal regulations require a certain amount of horn blowing before trains approach crossings which must be done at a certain distance from the road crossing and in a specified sequence of toots. Federal law also requires certain decibel levels below which they cannot go.

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Announcement from Audience

Stan Anderson invited Harvey Tai, of Anchor Cove and CERT organizer for the neighborhood, to make an announcement. Starting in March, and already posted to the MBNC website, free CERT trainings will resume in our area. Jim Mallory of the Red Cross provided some additional comments and indicated he'd give a more detailed presentation at next month's meeting.

Noise in Marina Bay neighborhood parks

This issue concerning our community was addressed by Terry Mollica of Sunset Pointe. Mr. Mollica is an attorney who has lived in Marina Bay since 1997 and has been actively involved with many other MB issues, including helping in the successful formation and legal guidance of ELDAC (please see the "sidebar" column on <http://www.marinabaycouncil.org/landscaping-2/> on this site for more information) as well as several other community issues.

Tonight he was asked to be a speaker to provide background and current information on noise in our residential neighborhood parks and discuss what he is doing about it, vis-à-vis the City.

His efforts were triggered by several events last summer in Barbara and Jay Vincent Park which borders the western edge of Sunset Pointe (at the end of Peninsula Drive). These events involved use of private power generators, ear-splitting, window-rattling, high-decibel amplified sound levels; alcohol being sold; event ticket sales; parking issues, etc. Note: the sound levels were so high that many car alarms were triggered. Sound was heard as far as 1000' from the source. Numerous calls were made to the Police Department as well. However, the Police stated they couldn't do anything because the various entities holding the events had permits. Thus, Mr. Mollica began to research the entire matter from a legal viewpoint and discovered that there is a substantial breakdown in the City as regards issuing permits AND subsequent enforcement when there appears to be a problem. He has subsequently worked extensively with Chief of Police Magnus, who has issued a temporary moratorium on providing use permits in City parks. The Police realize they need to amend the sound ordinance.

Mr. Mollica has also worked with City Manager Bill Lindsay to find good solutions for Shimada Park as well as Vincent Park with reasonable sound levels allowed for parties, etc., BUT at the same time, the solutions would be more appropriate than they currently are and would prevent "heavy-duty" amplified sound. The Breakers and Sunset Pointe surround Shimada; Sunset Pointe is also adjacent at its western end to Vincent Park.

Mr. Mollica is trying to make the RPD's temporary moratorium permanent for our neighborhood parks due to the number of nearby homes (as regards Marina Green, there are three complexes either directly adjacent or nearby: Bayfront Townhomes, Marina Bay North Shore Condos and The Beach Townhomes; Marina Green is unique as it is encompassed within the National Historical Park district and has to be

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dealt with a little differently). Shimada is situated between The Breakers and Sunset Pointe and is directly across from the southern end of The Shores condo complex. Vincent Park is adjacent, as stated earlier, to Sunset Pointe.

In January, accompanied by other concerned residents, Mr. Mollica met with Bill Lindsay to [1] present a proposal signed by several community leaders from throughout Marina Bay, and [2] to address various legal issues. Lindsay indicated clear definitions must be developed. Terry is seeking more community support and passed around a petition to the group and collected signatures.

A Question and Answer period followed while the petition circulated. The existing noise ordinance has specific standards but the enforcement process is cumbersome and the actual language in the ordinance is problematic. He indicated that they are trying to iron out and clarify all language in the new ordinance. Currently it lends itself to subjective judgments by RPD officers but the ordinance needs to be written in a way that has strict objective standards. Officer discretion has NOT worked thus far and that in a nutshell was last summer's problem.

Mr. Mollica stated that a viable solution currently exists about having the kinds of events that were held last summer at Vincent Park. Lucretia Edwards Park is much more appropriate for issuing event permits as it is near no residences and has substantial parking accessibility. This is the park at the end of Marina Way South, near commercial buildings and the Craneway. As he stated, central to this whole situation is the fact that whenever events are held adjacent to residences, there will be problems. The good news is that Bill Lindsay and Chief Magnus have both been very responsive so far. Past President of the MBNC, Virginia Finlay, indicated she had a fair amount of relevant history available in her files about these issues and she would provide all that information to Terry.

Outgoing Officer Reports

President's Report: Virginia Finlay briefly shared she has been involved in our area since 1989 and was involved in co-founding the Neighborhood Council. Some of the highlights she touched upon in her 2010 report were the MBNC spearheading and bringing speakers in to present on issues such as the Marina Bay Parkway Railroad Underpass development, Bay Trail Rehabilitation, landscaping, Meade Street Bypass, Richmond Redevelopment Agency; she was instrumental in developing election forums, hospitality forums, social events (which are as important to Marina Bay as the political events), shepherding an Environmental Impact Report for proposed ferry service, etc.

Virginia concluded by saying what really makes Marina Bay unique and special is the people in our area AND that included City staff. She then acknowledged the Executive Board, the past year's Liaisons from the various subdivisions, and all the people who show up for the regular monthly meetings.

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When she finished speaking and attempted to return to her seat in the audience, she was asked to remain at the front of the room. Barbara Norrish presented a recognition award; Virginia was 100% surprised. A card, made by Pat Kiely with a magnificent Marina Bay photograph by Pat, and a message that was a combined statement written by MBNC officers and liaisons, was read aloud and presented to Ms. Finlay along with a beautiful Waterford crystal sailboat echoing our nautical locale and the harbor.

Treasurer's Report: Stan Anderson provided the 2010 Revenue & Expense Summary (Niccore Rapp, last year's Treasurer, was unable to attend). For a copy of this and previous years' R&E Summaries, please refer to the "On This Page" Sidebar on <http://www.marinabaycouncil.org/about/>.

Secretary's Report: Ruth Zablotsky addressed the new website, several new features (such as a Twitter feed) and greater usability and lots of fun photos, new pages dedicated to ongoing projects (e.g.: <http://www.marinabaycouncil.org/landscaping-2/>, and <http://www.marinabaycouncil.org/landscaping-2/related-projects/>, and <http://www.marinabaycouncil.org/landscaping-2/bay-trail-rehab/>). There is a new Google Calendar that has numerous ways of being viewed, all LINKS pages have been updated to reflect newly elected government officers, current phone numbers, etc. (please see both of the following pages on the website: <http://www.marinabaycouncil.org/links/public-services/> and <http://www.marinabaycouncil.org/links/non-profits/>). She emphasized that the goal is to have a "living" website that is in development at all times and every attempt is being made to keep it current and lively with the addition of pictures and the removal of outdated material. She also discussed the establishment of a Google Group that was set up on an "opt-in" basis for people who want to receive email notification of meeting agendas. The Google Group is NOT a communications forum. All email addresses are private. If people do not want to receive emailed agendas, they can always refer to the home page of the website, www.marinabaycouncil.org. She also spearheaded a little committee for the updating of the MBNC Bylaws to reflect the addition of several new subdivisions in the area, to clarify quorum language, eliminate redundancy and to add information about the website.

MBNC Rep to the Advisory Committee of the MB Landscaping and Lighting Maintenance District (LLMD): Jonathan Taylor, President of the Advisory Committee (AC) to the LLMD, provided a summary or overview of the AC's work with the LLMD over the last year...which was its first year. So there were growing pains and plenty of time lost while the AC waited to populate its ranks with homeowner volunteers willing to do the considerable amount of work, come to the meetings, liaise with various City staff, etc. A major issue the AC faced in its inaugural year was the retirement of outgoing Parks Superintendent, Tony Norris; several months elapsed before the City found and hired a qualified replacement.

Ultimately Chris Chamberlain was hired. He has all the "right stuff" on his résumé, has been diligently attending the AC meetings and doing the hard work of innovating new policies to better track hours and labor and budgeted expenditures in our neighborhood common areas, etc. He is very responsive to the

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AC's requests and demands. Mr. Chamberlain is hard at work on creating transparency with the LLMD budget and getting an early engineer's report (the "governing document" for the Assessment District) so that it can be studied and edited as needed by the AC, to the community's benefit within a reasonable time frame before the City Council approves it for the next fiscal year. NOTE: last year, this same process was all done at the "11th hour."

Jonathan also compared our district to Hilltop's Landscaping Assessment district (older than ours, so we benefited from their mistakes) to emphasize that our LLMD has managed to provide better service with no increase in the landscaping assessment on our property tax bills (unlike Hilltop which has sustained yearly increases). This is largely the result of active citizen involvement on the AC. Jonathan referred the audience to the comprehensive, dedicated Landscaping & Lighting page on the MBNC website, <http://www.marinabaycouncil.org/landscaping-2/>, for more detailed information.

Stan reminded everyone that the aforementioned Advisory Committee to the LLMD is still looking for a dedicated volunteer to represent the Neighborhood Council. Ellen Schultz was last year's MBNC rep to the AC but upon assuming the role of Board President in her subdivision was stretched too thin and had to make the choice to leave the MBNC seat on the AC. If you're interested in serving on behalf of the MBNC, think you have the time and energy to participate, please contact Jonathan Taylor at jt@well.com.

Next meeting is March 9.

Meeting was adjourned at 9:00 pm.

Minutes respectfully submitted by Ruth Zablotsky, Secretary
Marina Bay Neighborhood Council