

RICHARDSON'S BAY REGIONAL AGENCY

SPECIAL MEETING

Tuesday, May 28, 2013

5:30 P.M. to 6:30 P.M.

Sausalito City Council Chambers 420 Litho Street Sausalito, CA

PUBLIC COMMENT IS INVITED CONCERNING EACH AGENDIZED ITEM PURSUANT TO THE BROWN ACT. PLEASE LIMIT YOUR COMMENTS TO THREE (3) MINUTES.

This meeting is convened in memory of Vice-Chair Dick Collins

AGENDA

5:30 P.M. CALL TO ORDER - ROLL CALL

1. Minutes of March 21, 2013 Meeting
2. Resolution 05-13 - Discussion and adoption of FY 2012-13 budget augment
3. Election of Vice-Chair
4. Public comments invited concerning items NOT on this Agenda (3-minute limit)
5. Staff comments
6. Board member matters

NEXT MEETING: Tentatively planned for June 20, 2013. Board members please review your calendars and advise Staff as to your availability.

A COMPLETE AGENDA PACKET IS AVAILABLE FOR VIEWING ON THE RBRA WEBSITE <http://rbra.ca.gov> , AND AT THE SAUSALITO CITY LIBRARY.

TO RECEIVE AN ELECTRONIC MEETING NOTICE, PLEASE EMAIL REQUEST TO DON ALLEE AT dallee@co.marin.ca.us

In Memory



In loving memory of RBRA Board member Dick Collins

A friend with uncommon grace and courtesy

Whose intelligence and energy are missed

Rest in peace

RICHARDSON'S BAY REGIONAL AGENCY

MEMORANDUM

May 21, 2013

TO: RBRA Board

FROM: Ben Berto, RBRA Clerk

SUBJECT: May 28 special meeting

Board members:

Staff is convening this **Tuesday** meeting in honor of the memory of Boardmember and RBRA Vice-Chair Dick Collins, who has sadly passed on.

This meeting is taking place because the Board was unable to meet on the regularly scheduled date, and the RBRA needs to attend to some fairly urgent budget matters. A high rate of vessel abatements have increased RBRA expenses and accompanying revenues. Neither expenditures nor revenues are completely reflected in the adopted FY 2012-13 budget. Consistent with accounting practices, the FY 2012/13 budget therefore needs to be adjusted to reflect these changes.

See the attached budget memo and accompanying resolution for additional details.

Thank you for going the extra mile to meet. Staff anticipates that the meeting will be brief.

RICHARDSON'S BAY REGIONAL AGENCY

MINUTES OF MARCH 21, 2013

HELD AT SAUSALITO CITY HALL CHAMBERS

MEMBERS PRESENT: Chair Kate Sears (Marin County); Tom Cromwell (Belvedere); Ken Wachtel (Mill Valley); Herb Weiner (Sausalito)

ABSENT: Dick Collins (Tiburon);

STAFF: Bill Price (Harbor Administrator); Ben Berto (RBRA Clerk)

Session Called to Order at 5:35 PM.

Minutes of January 17, 2013 Meeting

Minutes approved

Review report of Harbor Administrator

Mr. Price met with Director of Parks, Gen. Anthony Jackson, to avoid the swallowing up of DBW and try to keep it as a separate group. His direct approach to getting things done seemed positive, and he said he would be responsive to the needs of the boaters.

The RBRA sent a letter of support for the VTIP program to Senator Ted Lieu's office.

Cal Recycle – first meeting with grant coordinator. Asbestos inspector is a new requirement.

Cass Marina property – A collective approach was used between RBRA, DPW, and COE to dismantle old docks. The non-profit Cass Gidley Marina project is moving forward.

Member Sears noted the RBRA's presentation to BCDC earlier that afternoon. Mr. Price explained that Adrienne Klein had called him in, along with Todd Thalhamer (Cal Recycle) and Susan Sykes (DBW) to speak about the derelict vessel problems in the Bay Area. He felt it was an eye-opener for the Commission.

Member Cromwell questioned whether BCDC was somewhat negative regarding the RBRA program. Mr. Price replied that the RBRA was largely below the Commission's radar screen, and the presentation only provided background information for the Commission. BCDC Staff has looked askance at the issue in Richardson's Bay for years, and they are evaluating our process. Chair Sears echoed this, saying it was informational only and an educational first step.

Kevin Kiffer asked for a list of conditions for Cal Recycle program and he wanted to know how boats qualify for grant.

Scott Diamond asked where does the dock foam go and is it available to locals? Mr. Price said he gave some to Parker Dive Service, and the rest went to an artist for theatre sets and a sculptor for a Petaluma Butter and Eggs Parade float.

Approval of prior expenditures for January – March 2013

Approval of expenditures – Mr. Berto pointed out the pie chart indicated that we were on track, but we had unexpected revenues from Gates Co-op which will need to be adjusted formally at the next meeting. Member Wachtel liked the revenue side being over budget. He also asked about the reason for using San Rafael Yacht Harbor to demolish a boat. Mr. Price explained that it was a large, difficult vessel that was moved and stored after the storm in December, and since Staff was wrecking another 17 vessels in Sausalito that month, it was towed there for demolition. Mr. Berto also pointed out that there were limitations on the size of vessels that Mr. Price could safely demolish with an adult offender work crew.

Discussion and approval of the FY 2013/14 annual budget

Chair Sears said that this item was discussed at the January meeting and tentatively approved. Mr. Berto pointed out that there would be a modest increase in benefits; even though salaries don't go up, benefit costs have been climbing due to increasingly conservative retirement funding assumptions. He pointed out that the RBRA was lucky to have the CalRecycle grant which would fill in for our dwindling DBW funding for abatement. He emphasized that Staff was recommending a bare-bones budget in recognition of continued tight jurisdiction coffers. The increase in legal was small. The budget could be modified if work programs are adopted.

Member Cromwell asked if we anticipated continued reductions in DBW? Mr. Berto said that Staff hoped it will continue to fund as in the past, but the budget plans for reductions in funding, preparing for the eventuality that it might happen.

Budget approved unanimously Wachtel motion – Weiner second.

Anchorage report

Mr. Berto said he had scrutinized the policy context, including and in particular the Richardson Bay Special Area Plan (SAP). It was adopted in 1984 after a year-long committee workshop with Bay Commission and 50 blue ribbon local group representatives. RBRA was created in response to SAP's recommendations. The RBRA's Joint Powers Authority agreement provides the legal underpinnings for everything we do. Chair Sears noticed in the Staff report that COE Channel is not dredged. Are we low on the list? Mr. Price responded that the Dredge Barge Essayons was based in Sausalito until about 20 years ago. Member Weiner noted the channel should be at 20 ft. but is at 13 ft. now, and he believed it would take a plane trip to Washington to curry political support for dredging. Mr. Price said that no commercial need for a channel pushes you backward on the list. Member Wachtel was happy with Staff's synthesization of the SAP, but Member Cromwell asked where do you want us to go with this information.

Doug Storms brought up public access which he said assumes shore to water but ignores the corollary from water to shore. Only three docks currently allow access. Clipper is able to lock gates once the fuel dock is closed. He took exception to the SAP statement "increased public access" stating that at low tide at Galilee you have to crawl over two rows of dinghies. There will be no access at Gates when WPH reconfiguration is completed - access will be closed. Chair Sears asked if plans for Cass Gidley Marina include public access. Member Weiner said Cass should have some access and would be available to the public. Member Cromwell asked if private concerns have taken over a percentage of the shoreline. Weiner responded that it has gone down, but with Cass and Wellington's there should be some positive changes afoot. Mr. Berto pointed out that the dinghy docks can be tidally dependent. Access goes away when the

tide is out. Kevin Kiffer said that Galilee has Use Permit on a city right-of-way and asked if other city streets could be used for access.

Chair Sears asked about future actions. Mr. Berto responded that Staff was working to bring governing docs up to date, and said he'd be happy to investigate and provide an overview on access.

Chair Sears thought it would be helpful to have a briefing on legal context under which RBRA operates, to better understand ordinances. Mr. Berto said he would consult with our legal contact. Larger vessels create extra concerns – Staff would like to explore a large vessel ordinance for public health and safety reasons.

Member Cromwell said that the SAP was created in 1984 and there were things that have been accomplished, but should the Board look at what hasn't been accomplished?

Member Wachtel said of the eight findings and policies – what are the current conditions, and where are we deficient? He did not want a treatise. Wachtel asked Staff to outline the parameters of public access and provide a map.

Chair Sears asked for an update on all eight, including dredging, marsh enhancement, etc. - where we are in the present with all eight? Chair Wachtel suggested a half day retreat, with speakers, to allow a more conversational process, like a workshop. He stated that public access is what we are here for. Chair Sears suggested that she and members tour the anchorage.

Joshua Gift spoke up as a commercial fisherman, observing that showers are available for the people who travel up and down the coastline at marinas like Bodega and Pillar Point. Keys are given out with deposit. People who can take showers are much more employable.

Public comments

Crystal Gift spoke about chance anchors (emergency anchors stowed on deck) and said she was helping the neighbors get better ground tackle. She said that folks on the anchorage are spending money in community – it's not a free ride; that sometimes stuff has to be stowed outside during remodeling inside; and that she can't afford the dream of fisher-sailor if they have to move to slip and pay rent.

John Roberts stated that speeding in anchorage is dangerous, with no restriction outside markers.

Staff Comments

Mr. Berto informed the Board of the potential for a future grant under the RAMSAR agreement, and that the SF Bay estuary is a locality for restoration work, so if the RBRA can find a legitimate restoration project, we'd be able to apply.

Board Comments

Chair Sears asked if the Board was interested in meeting in April. Member Wachtel stated that Staff's assignment is large and it may not be ready in April. Situations might require an extra meeting once in a while, but this should go to May. Member Weiner said that the need might arise for more meetings due to seasonal reasons like winter storm season and felt flexibility is best to keep momentum. Member Cromwell thought Staff should drive it to some degree. Mr. Berto said staff resources determine the timing and depth of these reports, and a moderate pace is

realistic. He also asked the Board members to schedule a tour of anchorage before the May meeting.

The meeting was adjourned at 7:55 PM.

The next meeting is scheduled for May 16, [note: now scheduled for May 28] 2013, at the Sausalito City Hall Council Chambers at 5:30 PM.

Submitted by Bill Price and Ben Berto

RICHARDSON'S BAY REGIONAL AGENCY

MEMORANDUM

TO: RBRA Board

FROM: Ben Berto, Bill Price

SUBJECT: Allocation of funds for FY 12-13 RBRA Budget

DATE: May 28, 2013

Background:

The Richardson's Bay Regional Agency has almost depleted the professional services expenditure line in the budget due to increased vessel abatement.

Status:

Staff has increased the pace and scope of vessel demolitions since the RBRA was successful in securing the CalRecycle grant to assist us in our efforts, and following direction of your Board to vigorously pursue 'low-hanging fruit' derelict and abandoned vessels on the anchorage. In addition, the RBRA has already collected \$45,969 in over-realized revenue this year, due mainly to the \$50K funding earmark to the RBRA from the Waldo Point Harbor Reconfiguration Project. We also are expecting up to approximately \$49K in reimbursement revenue from work already completed pursuant to the CalRecycle Grant.

The current year's (FY 2012-2013) budget does not yet reflect the increased revenues and expenditures. Increasing the revenue and expenditure portions of the FY 2012-13 budget per recommendations below will reconcile current expenditures and revenues, and allow staff continue to abate vessels for the remainder of the current fiscal year.

Recommendation:

Increase Revenues as follows:

- State InterGovernmental account G/L # 4530527 by \$99,000

This reflects RBRA's increased revenues of \$50,000 from Waldo Point Harbor, and \$49,000 from CalRecycle Grant revenue reimbursement.

Increase Expenditures by \$80,000 by transferring funds from G/L # 4530527, as follows:

- Professional Services account G/L # 5210100 by \$75,000
- Increase the Rental and leases line, GL #5211200 by \$4200
- Increase the Communications line, GL #5210700 by \$800

Kathrin Sears - RBRA Board Chair

RICHARDSON'S BAY REGIONAL AGENCY - FISCAL YEAR 2012/2013 AMENDED BUDGET 052813

EXPENDITURES

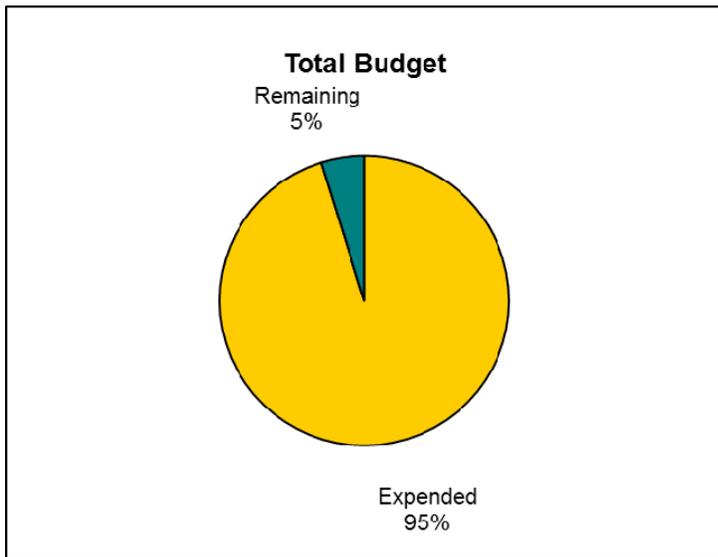
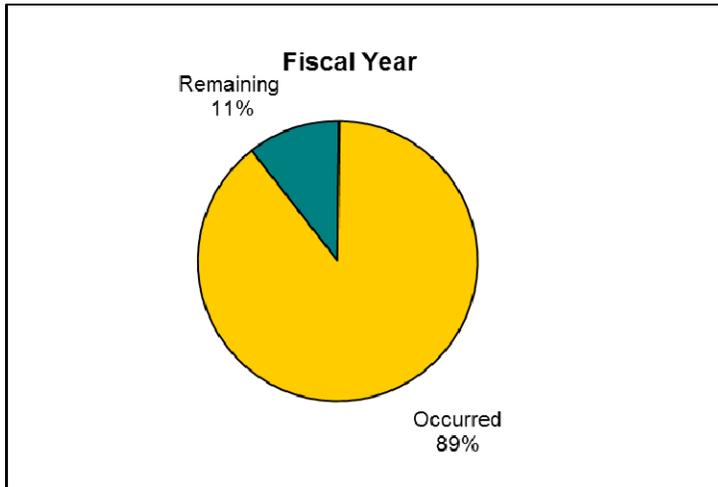
BUDGET#	DESCRIPTION	11/12 ADOPTED	11/12 ACTUALS	12/13 PRJCTD	
5210100	PROFESSIONAL SERVICES	\$312,540	\$312,540	\$394,673	AWAF salvage; legal; salary; county management
5210500	INSURANCE PREMIUMS	\$14,000	\$14,356	\$14,500	
5210700	COMMUNICATION	\$1,900	\$1,600	\$2,700	phone, fax, internet, mobile (\$800. increase 5/23/13)
5211200	RENTAL & OPER. LEASES	\$28,000	\$23,000	\$32,200	Office; slips; heavy equip rents (\$4200. increase 5/23/2013)
5211300	PROF. DEVEL. EXPENSES	\$600	\$755	\$800	professional associations, continued education
5211400	TRAVEL & MEETINGS	\$1,000	\$1,100	\$2,000	Harbormaster's Conference (So Cal 2012), mileage
5211520	PUBLICATION	\$1,000	\$953	\$1,000	Legal ads
5220100	OFFICE EXPENSES	\$500	\$496	\$500	
5220200	MAINT. & REPAIR - EQUIP	\$3,900	\$4,300	\$5,000	Patrol boat maintenance
5482045	VEHICLES	\$0	\$0	\$0	
		\$363,440	\$359,100	\$453,373	

PROFESSIONAL SERVICES BREAKOUT		11/12 ACTUALS	12/13 PRJCTD		
	MOORING WORK PROGRAM	\$3,000	\$7,000	\$3,000	Outside legal consulting
	LEGAL	\$3,000	\$3,000	\$3,000	County Counsel
	RAPID RESPONSE PROGRAM	\$8,000	\$10,000	\$8,000	Contractor cost
	LAB SERVICES	\$5,000	\$5,000	\$5,000	TMDL testing (50% MCCSTOPP)
	SPECIAL APPOINTMENT	\$129,780	\$129,780	\$133,201	Estimated salary and benefits
	PROFESSIONAL SERVICES	\$103,500	\$90,000	\$175,350	AWAF salvage (\$75K increase 5/23/13)
	CDA ADMIN	\$34,560	\$34,560	\$41,472	CDA Admin. expense (2% time increase @ \$6,912)
	10% AWAFF grant expenditures	\$12,200	\$12,000	\$11,150	AWAF salvage match funds
	AUDIT	\$6,500	\$5,000	\$6,500	towards biennial audit
	MT HEAD	\$5,000	\$4,000	\$5,000	Sewage pump-out services
	WEBSITE ADMIN	\$2,000	\$1,500	\$3,000	updates and maintenance
		\$312,540	\$301,840	\$394,673	

REVENUES

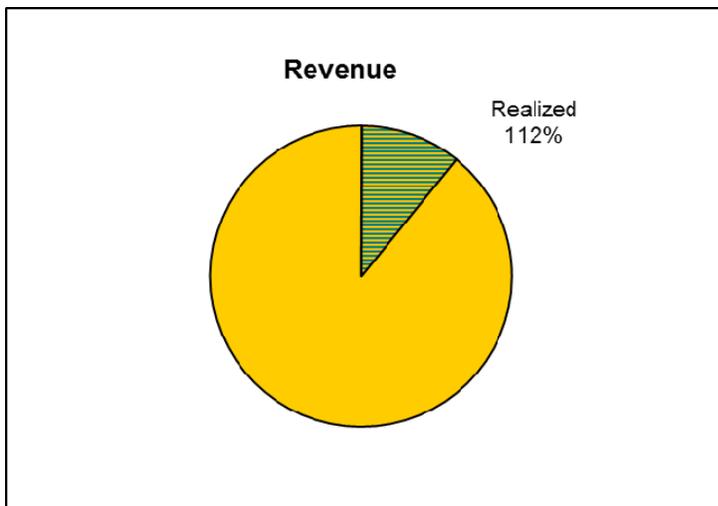
	11/12 ADOPTED	11/12 ACTUALS	12/13 PRJCTD		
Beginning Balance					
4410125	INTEREST POOLED INVST	\$1,200	\$500	\$500	
4410225	SLIP RENTALS	\$3,000	\$2,946	\$3,000	mooring rentals
4410410	OTHER SALES & SERVICES	\$9,000	\$6,293	\$9,000	misc. reimbursement, disposal chargeback
4530527	INTERGOVT REVS - STATE	\$122,000	\$111,500	\$221,000	AWAF / VTIP 110K (WPH \$50K, CRecy \$49K 5/23/13)
4640322	INTERGOVT REVS - LOCAL	\$228,389	\$228,389	\$239,473	RBRA Member Dues (4.9% increase = \$11,084)
		\$363,589	\$349,628	\$472,973	

Percent of Budget and Percent of Year as of May 21, 2013



Expenditures vs. Budgeted Expenditures

Expenditures	\$373,373
Adopted Budget	\$355,475



Realized Revenue vs. Budgeted Revenue

Realized Revenue	\$374,080
Budgeted Revenue	\$425,395

RICHARDSON'S BAY REGIONAL AGENCY

RESOLUTION NUMBER 05-13

INCREASING EXPENDITURES AND REVENUES IN THE FY 2012/13 BUDGET TO INCORPORATE HIGHER THAN ANTICIPATED COSTS AND REVENUES

WHEREAS, the RBRA has had an increase in revenues due to a \$50K mitigation grant from Waldo Point Harbor and portions of a \$495K grant from CalRecycle; and

WHEREAS, the RBRA has been disposing significantly more vessels than usual, increasing expenditures; and

WHEREAS, consistent with financial practices of the RBRA and County of Marin, the RBRA budget needs to be updated to incorporate these changes;

NOW, THEREFORE BE IT RESOLVED, the Richardson's Bay Regional Agency hereby approves amendments to the FY 2012-13 budget as detailed in the accompanying staff memo dated May 28, 2013.

PASSED AND ADOPTED by the Board of the Richardson's Bay Regional Agency on May 28th, 2013 by the following vote:

Ayes:

Noes:

Absent:

CERTIFICATION:

Kathrin Sears, Board Chair

Ben Berto, RBRA Clerk