

RICHARDSON'S BAY REGIONAL AGENCY

Thursday, January 16, 2014

5:30 P.M. to 7:00 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.

AGENDA

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

1. Minutes of November 21, 2013 Meeting
2. Review report of Harbor Administrator
3. Approval of prior expenditures for November 2013 – January 2014
4. Resolution 14-01 accepting grant funds from California Division of Boating and Waterways for the Vessel Turn-In Program (VTIP)
5. Vessel Registration – legal issues
6. Public comments invited concerning items NOT on this Agenda (3-minute limit)
7. Staff comments
8. Board member matters

NEXT MEETING: Tentatively planned for March 20, 2014. 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

RICHARDSON'S BAY REGIONAL AGENCY

MEMORANDUM

January 10, 2014

TO: RBRA Board

FROM: Ben Berto, RBRA Clerk

SUBJECT: January meeting

Board members:

Staff only received one “can’t attend” response from the Board, so we’re anticipating a quorum. This meeting features a fairly light agenda. Staff and the legal ad hoc subcommittee further explored the vessel registration-documentation topic first agendized at the November meeting. As with many substantive issues, there are many devils in the details. A status update with recommendations is included in the packet.

Boating and Waterways provided RBR A with additional funds for the Vessel Turn-In Program (VTIP). This will help RBRA intercept vessels before they turn into future problems on the anchorage. A resolution is included in your packet for the Board to formally accept the grant.

The Board asked Staff to look into what social services are available for those on the water. As noted in the February 2012 RBRA meeting materials, Sausalito launched a homeless outreach program in cooperation with the County Department of Health and Human Services. Police Chief Jennifer Tejada spearheaded this ongoing effort. Chief Tejada can be reached at 289-4170. The County HHS contact is Sean Stephens at 473-6193. Persons interested in finding out more about the services provided are encouraged to contact Chief Tejada and Mr. Stephens.

We are going further into the driest winter on record (so far). Our ‘wet’ weather water testing program is on hold pending actual precipitation events. Robert Turner from County Environmental Health Services, who has been instrumental in developing our very informative reporting spreadsheets, is retiring. Staff is developing Plan B.

RICHARDSON'S BAY REGIONAL AGENCY

MINUTES OF NOVEMBER 21, 2013

HELD AT SAUSALITO CITY HALL CHAMBERS

MEMBERS PRESENT: Kate Sears (Marin County); Ken Wachtel; (Mill Valley); Herb Weiner (Sausalito); Emmett O'Donnell (Tiburon); Thomas Cromwell (Belvedere)

ABSENT: None

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

Meeting called to order at 5:30 PM

Minutes of August 15, 2013 Meeting

Minutes were approved.

Review report of Harbor Administrator

Mr. Price reported on the State Water Board's new plan to require a permit for each vessel salvaged, in order to address a small group of renegade salvors. This would place a burden on RBRA and other legitimate salvage operations, so he has been working through his position as Harbormasters and Port Captains President to develop a Best Management Practices (BMP) plan to address the State's concerns. Concerning the Cass Gidley Marina project, he hoped the City of Sausalito would support the project in order to keep the property from turning into an attractive nuisance. Member Weiner said he was confident the project would move forward.

Member O'Donnell asked about the CalRecycle grant progress and Staff responded that approximately \$150K had been spent to date. Member Wachtel asked if this was a higher rate of expenditure than in year's past and staff answered affirmatively. Louis Tenwinkle and Kevin Kiefer asked if all the boats were from the anchorage and Staff responded that most were, with some additional vessels turned in by individuals in local marinas.

Prior expenditures

Member Wachtel asked to differentiate between the disposal costs of an outside contractor versus a local RBRA disposal. Staff explained that large vessels that posed potential pollution problems were contracted out in order to avoid spills. Member Cromwell asked to explain the variance in costs. Staff said the commercial demolition costs are generally \$10-\$20 per boat foot. When the RBRA does the demo, the overhead costs such as staff salary and benefits are not directly included. The RBRA also has no-cost property usage and employs some volunteer adult offender labor. Our costs appear lower than a contractor's, since their costs directly reflect professional labor, property, equipment, insurance, and profit.

Louis Tenwinkle asked why the RBRA doesn't take a class and perform their own asbestos inspections. Kevin Kiefer said he tried to get certified and it is cost prohibitive.

The expenditure report was accepted unanimously.

Review of legal issues on Richardson's Bay – Registration Enforcement

Mr. Berto started out with the sub-committee's recommendation that Staff pursue registration enforcement as a good first step to better management of the anchorage. Registration codes on vessels are similar to vehicle codes on land and should be readily dealt with by local law enforcement. There is minimal expense involved in registering a vessel, but the information provided in up-to-date registration provides a lifeline to track the current owner in storm and other vessel emergency situations. This approach would allow RBRA to work with law enforcement to achieve consistent registration and better track vessels coming in. It is recognized that substantial efforts would be made to alert vessel owners of the new requirements, but continued unregistered vessels would be eventually impounded and disposed if no owner steps forward. Impounding and demolition could produce some push back and may generate additional legal expenses. Staff planned to speak with Sausalito Police Department and Marin Sheriff, as well as our insurance carrier to get feedback and elicit their cooperation. Member Wachtel said that authorized enforcement personnel from both Mill Valley and Tiburon could be sent to accompany Staff. Member Cromwell asked how many boats were unregistered and what kind of legal problems have we had in the past? He said it was a safety issue as well. Member O'Donnell state that there was reverse legal responsibility, that we could be liable for non-enforcement.

Louis Tenwinkle asked why it took so long for this program, and stated that there should be an RBRA boat out on stormy nights checking on safety throughout the anchorage. Peter Romanowsky said that he lived on a houseboat which didn't need to be registered and felt that Sausalito PD was looking for problems. Scott Diamond, representing the Sausalito Waterfront Action Group (SWAG), said that the RBRA has not moved forward, and should not be using taxpayer dollars to wreck nice boats that could be sold to further the RBRA mission, which should be setting safe anchors. Brian Shire asked if the RBRA had reached out and wanted to have more info.

Member Cromwell asked why this hadn't been pursued in the past and Staff responded that it was a question of law enforcement priorities. Member Wiener wanted RBRA to address the issue of stored boats on the bay, which he considered the biggest problem. Chair Sears asked Staff to pursue law enforcement participation and the insurance component and bring it back at the January meeting.

Water Quality Test Results

Mr. Price presented the results, which were quite good overall indicating a continuous trend towards improvement. He pointed out the Waldo Point reconfiguration project would be starting in the spring of 2014, which should address ongoing Gates Co-op problems by removing the docks and antiquated sewage system there. He pointed out the Schoonmaker Beach results which have been outstanding over the course of the year (tested from April to October) and said that the

State Water Board has been pleased with our efforts and scheduled reporting. He also said that winter 2014 tests were unscheduled until the State had a new lab contract in place.

An audience member asked about the time of testing and Staff responded that the testing used to be attempted at low tide, but the results never indicated any difference so that was dropped for a 9 AM start time. Mr. Romanowsky thanked the Board for testing and pointed out the need for public showers. Mr. Shire thanked the Board for providing free sewage pump-outs with the mobile services.

Public Comments

Mr. Diamond said that he was frustrated; that he had promoted an interagency workshop with the various enforcement agencies and gotten nowhere with public officials. He said Richardson's Bay was a haven for derelict vessels, a lawless ghetto, and the laughingstock of the bay.

Mr. Storms explained the SWAG group as a coalition of live-aboards, anchor-outs and hill people who care about Richardson's Bay. He commented on their Boat Savers program and the Sally Stanford dock at Turney Street. He also asked for the RBRA to contribute to a demographic study of boats on the bay.

Mr. Tenwinkle asked for an anchor-out to be a representative on the committee, and felt law enforcement should do more to help on the bay during storms.

Mr. Kiefer said that the sheriff had helped him but usually it was harassment and enforcement. He was unsure about the RBRA endorsing the Cass Gidley Marina project since he felt it was a proxy for Galilee harbor.

Dave Lister asked for more shoreside access and felt enforcement is overly stressed. He added that Cass Gidley Marina was not a Galilee project.

An unidentified citizen spoke against vessels speeding through the anchorage, and said it was a safety issue that was not enforced.

Staff Comments

None

Board Member Matters

None

The meeting was adjourned to closed session at 7:15 PM.

NOTE: The next meeting of the RBRA is tentatively scheduled for **January 16, 2014 at 5:30 PM** at the Sausalito City Hall Chambers.