

**ITEM 5.1.1**

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**2/20/2024**

To be used only for management discussion purposes; engagement is incomplete; this draft is subject to final review and possible revision. **\*\*Report/Letter date is TENTATIVE-TBD\*\***

**RICHARDSON BAY REGIONAL AGENCY**

**SAN RAFAEL, CALIFORNIA**

**ANNUAL FINANCIAL REPORTS**

**YEARS ENDED JUNE 30, 2023 AND JUNE 30, 2022**

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## INDEPENDENT AUDITORS' REPORT

Board of Directors  
Richardson Bay Regional Agency  
San Rafael, California

### Report on the Financial Statements

We have audited the accompanying financial statements of the business-type activities and the major fund of the Richardson Bay Regional Agency as of and for the years ended June 30, 2023 and June 30, 2022, and the related notes to the financial statements, which collectively comprise Richardson Bay Regional Agency's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the business-type activities and the major fund of Richardson Bay Regional Agency, as of June 30, 2023 and June 30, 2022 and the respective changes in financial position and cash flows thereof, for the years then ended in accordance with accounting principles generally accepted in the United States of America.

### Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of Richardson Bay Regional Agency, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

### Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error. In preparing the financial statements, management is required to evaluate whether there are conditions or events considered in the aggregate, that raise substantial doubt about Richardson Bay Regional Agency's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

### Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with auditing standards generally accepted in the United States of America will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

Misstatements are considered material if there is a substantial likelihood that, individually or in aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with auditing standards generally accepted in the United States of America, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of Richardson Bay Regional Agency's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about Richardson Bay Regional Agency's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

#### Other Matters

##### *Required Supplementary Information*

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, as listed in the table of contents, be presented to supplement the basic financial statements.

Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

O'Connor & Company

Novato, California  
February 15, 2024

Richardson Bay Regional Agency  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
 June 30, 2023

The Management's Discussion and Analysis provides an overview of Richardson Bay Regional Agency's (RBRA or the Agency's) financial activities for the fiscal years ended June 30, 2023, and 2022. Please read it along with the Agency's financial statements, which begin on page 6.

FINANCIAL HIGHLIGHTS

The Agency's net position increased by \$3,360,943 from 2022 to 2023. Total revenues increased \$3,624,567 and total expenses increased by \$469,143 in 2023 as compared to 2022.

As the report notes, RBRA's total net position decreased by \$216,816 in FY 22 and increased by \$3,360,943 in FY 23. RBRA's total net position at the end of fiscal year 2022 was (\$204,824) and \$3,156,120 at the end of fiscal year 2023.

OVERVIEW OF THE FINANCIAL STATEMENTS

This discussion and analysis is intended to serve as an introduction to the Agency's basic financial statements. The Agency's basic financial statements comprise two components: (1) governmentwide financial statements and (2) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements.

The government-wide financial statements are designed to provide readers with a broad overview of the Agency's finances, similar to a private-sector business.

The Statement of Net Position has information on all of the Agency's assets and liabilities, with the difference between assets and liabilities reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the Agency is improving or deteriorating.

The Statement of Revenues and Expenses presents information showing how the Agency's net income or loss changed during the fiscal year. All changes in net position are recognized at the date the underlying event that gives rise to the change occurs, regardless of the timing of the related cash flows.

The Statement of Cash Flows presents information about the Agency's cash receipts, cash payments and net changes in cash resulting from operations, investing, and financing activities. This statement shows the source and uses of cash, as well as the change in the cash balances during the fiscal year.

The Agency is a single-purpose entity that has elected to account for its activity as an enterprise fund type under governmental accounting standards. Accordingly, the Agency presents only government-wide financial statements.

Changes in the Agency's net position were as follows:

	<u>2023</u>	<u>2022</u>	<u>2021</u>	Increase (decrease) <u>2023-2022</u>
Current and other assets	\$ 3,293,680	\$ 191,220	\$ 80,557	\$ 3,102,460
Capital assets, net of accumulated depreciation	-	-	10,608	-
Total assets	<u>3,293,680</u>	<u>191,220</u>	<u>91,165</u>	<u>3,102,460</u>
Current and other liabilities	<u>137,560</u>	<u>396,044</u>	<u>79,172</u>	<u>(258,484)</u>
Total liabilities	<u>137,560</u>	<u>396,044</u>	<u>79,172</u>	<u>(258,484)</u>
Net position:				
Net investment in capital assets	-	-	10,608	-
Unrestricted	<u>3,156,120</u>	<u>(204,824)</u>	<u>1,385</u>	<u>3,360,944</u>
Total net position	<u>\$ 3,156,120</u>	<u>\$ (204,824)</u>	<u>\$ 11,993</u>	<u>\$ 3,360,944</u>

Richardson Bay Regional Agency  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
 June 30, 2023

The Agency experienced fluctuations in its cash balance year over year largely because of the timing difference between incurring reimbursable type expenses and receiving funds from the associate Department of Boating and Waterways (DBW) grant. At the end of 2021-2, the Agency reported zero available cash.

Changes in the Agency's revenues were as follows:

	<u>2023</u>	<u>2022</u>	<u>2021</u>	Increase (decrease) <u>2023-2022</u>
Operating revenues	\$ 4,026,634	\$ 402,067	\$ 39,059	\$ 3,624,567
Operating expenses	<u>1,725,145</u>	<u>1,256,002</u>	<u>783,009</u>	<u>469,143</u>
Net operating income (loss)	<u>\$ 2,301,489</u>	<u>\$ (853,935)</u>	<u>\$ (743,950)</u>	<u>\$ 3,155,424</u>
Investment and other income	\$ 1,059,454	\$ 637,119	\$ 576,040	\$ 422,335
Interest and other expenses	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Non-operating net income	<u>\$ 1,059,454</u>	<u>\$ 637,119</u>	<u>\$ 576,040</u>	<u>\$ 422,335</u>

The Agency receives revenue from the California Department of Boating and Waterways (DBW) to fund the disposition of derelict vessels in the Bay. This revenue is a reimbursable grant and funding is dependent on the timing the Agency performs certain tasks, such as disposing of derelict vessels.

THE FUTURE OF THE AGENCY

The RBRA's focus in 2023-24 is to continue implementing the provisions of the 2021 Agreement with the Bay Conservation & Development Commission (BCDC).

In October 2021, RBRA and BCDC agreed to work cooperatively to achieve specific goals described in the Agreement. In 2022, The RBRA updated its 2020 Transition Plan and established Transition Plan 2.0 reinforcing and updating the RBRA's vision, principles, goals, and policy direction for transitioning to a healthier, safer, and well-managed Richardson Bay. Focal areas of the Agreement and the Plan include eelgrass habitat preservation, decreasing the number of anchored vessels, encouraging increased safety in remaining vessels, supporting efforts to connect vessel occupants with safe housing, establishing a sunset date for any occupied vessels to remain on the bay, and an enhanced enforcement effort.

The Transition Plan 2.0, in conjunction with the Agreement works to resolve issues related to the longstanding and continued presence of unpermitted occupied vessels on the bay with an ultimate final goal of no long term anchored vessels to remain on Richardson Bay after October 15, 2026.

The Eelgrass Protection & Management Plan adopted by RBRA in 2021, an Eelgrass Protection Zone, and the recently completed RBRA Eelgrass Restoration and Adaptive Management Plan provides the goals and timeline for the restoration of 15 acres of eelgrass by 2027.

Additionally, a Temporary Housing Voucher Program, implemented on May 1, 2023, is the program to connect qualified vessel occupants with safe housing, and a Vessel Buyback Program, reestablished on April 16, 2024, is the program where qualified vessel owners may legally dispose of vessels and receive funds for participating in the program.

Member agency support is supplemented by grants received for vessel/marine debris removal and eelgrass preservation. RBRA has had continued success with grants from the annual Surrendered and Abandoned Vessel Exchange Program (SAVE) through the State of California Division of Boating and Waterways; \$275,000 for cycle 2023. Additionally, RBRA was awarded a one-time \$3 million grant from the State of California, with the help of Senator McGuire, to fund the three-year Temporary Housing Voucher Program, and a one-time, \$2.78 million grant from the U.S. Environmental Protection Agency San Francisco Bay Water Quality Improvement Fund to implement the project titled "Collaboratively Restoring Eelgrass in Richardson Bay to Improve Water Quality and Climate Resilience," with the goal of restoring at least 15 acres of eelgrass in Richardson Bay over four years.

Richardson Bay Regional Agency  
MANAGEMENT'S DISCUSSION AND ANALYSIS  
June 30, 2023

With documents providing focus and goals, along with the appropriate funding in place, the RBRA will be able to achieve said goals, and maintain efforts, through its established timelines.

REQUESTS FOR INFORMATION

This financial report is designed to provide our citizens, taxpayers, and creditors with a general overview of the Agency's finances and to demonstrate the Agency's accountability for the funds under its stewardship.

Please address any questions about this report or requests for additional financial information to Richardson Bay Regional Agency, 3501 Civic Center Drive, Room 308, San Rafael, CA 94903.

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Richardson Bay Regional Agency  
STATEMENTS OF NET POSITION  
 June 30, 2023 and June 30, 2022

<u>ASSETS</u>	<u>2023</u>	<u>2022</u>
Current assets:		
Cash and pooled investments	\$ 2,879,833	\$ -
Receivables:		
State of California	413,355	191,220
Prepaid items	492	-
Total current assets	<u>3,293,680</u>	<u>191,220</u>
 <u>LIABILITIES AND NET POSITION</u>		
Current liabilities:		
Due to County pooled investment fund	-	351,557
Accounts payable	137,560	44,487
Total current liabilities	<u>137,560</u>	<u>396,044</u>
Net position:		
Unrestricted (Deficit)	3,156,120	(204,824)
Total net position	<u>\$ 3,156,120</u>	<u>\$ (204,824)</u>

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The accompanying notes are an integral part of these financial statements.



Richardson Bay Regional Agency  
STATEMENTS OF REVENUES, EXPENSES AND  
CHANGES IN NET POSITION  
For the years ended June 30, 2023 and June 30, 2022

	2023	2022
Operating revenues:		
State of California contracts	\$ 3,871,292	\$ 287,169
Other government contracts	155,342	97,204
Charges for services	-	17,694
Total operating revenues	4,026,634	402,067
Operating expenses:		
Operating and security	1,636,433	1,147,649
Administration and general	88,712	97,745
Depreciation	-	10,608
Total operating expenses	1,725,145	1,256,002
Operating income (loss)	2,301,489	(853,935)
Non-operating revenues (expenses):		
Agency member contributions	1,041,098	632,992
Investment income	18,356	4,127
Total non-operating revenues (expenses)	1,059,454	637,119
Changes in net position	3,360,943	(216,816)
Net position, beginning of period	(204,823)	11,992
Net position, end of period	\$ 3,156,120	\$ (204,824)

The accompanying notes are an integral part of these financial statements.

Richardson Bay Regional Agency  
STATEMENTS OF CASH FLOWS  
For the years ended June 30, 2023 and June 30, 2022

	<u>2023</u>	<u>2022</u>
Cash flows from operating activities:		
Receipts from customers	\$ 3,804,499	\$ 286,340
Payments to suppliers	<u>(1,984,121)</u>	<u>(923,458)</u>
Net cash provided (used) by operating activities	<u>1,820,378</u>	<u>(637,118)</u>
Cash flows from non-capital financing activities:		
Cash received from agency members	<u>1,041,099</u>	<u>632,991</u>
Net cash provided (used) by non-capital financing activities	<u>1,041,099</u>	<u>632,991</u>
Cash flows from investing activities:		
Interest earned	<u>18,356</u>	<u>4,127</u>
Net cash provided by investing activities	<u>18,356</u>	<u>4,127</u>
Net increase (decrease) in cash and cash equivalents	2,879,833	-
Cash and cash equivalents - beginning of period	<u>-</u>	<u>-</u>
Cash and cash equivalents - end of period	<u>\$ 2,879,833</u>	<u>\$ -</u>
Reconciliation of operating income (loss) to net cash provided (used in) operating activities:		
Operating income (loss)	\$ 2,301,489	\$ (853,935)
Adjustments to reconcile operating income (loss) to net cash provided by operating activities:		
Depreciation	-	10,608
Changes in certain assets and liabilities:		
Accounts receivable	(222,135)	(115,727)
Accounts payable	93,073	(19,055)
Due to county pooled investment fund	(351,557)	335,927
Prepaid expenses	<u>(492)</u>	<u>5,064</u>
Net cash provided (used) by operating activities	<u>\$ 1,820,378</u>	<u>\$ (637,118)</u>

The accompanying notes are an integral part of these financial statements.

Richardson Bay Regional Agency  
NOTES TO BASIC FINANCIAL STATEMENTS  
For the Year Ended June 30, 2023

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. Reporting Entity

The Richardson Bay Regional Agency (the Agency) is a separate governmental unit organized on July 16, 1985, by a joint powers agreement and later revised, in fiscal years 2000, 2001, 2018 and again in 2022. The Agency's purpose is to maintain and implement those provisions of the Richardson's Bay Special Area Plan relative to mooring, dredging and navigational channel implementation, including but not limited to, the establishment and enforcement of permitted anchorage zones. Agency members include the County of Marin, Tiburon, Belvedere, and Mill Valley.

The Agency is governed by a four-person board. The Board is comprised of a County Supervisor and three City Council members. The Board elects from its members a Chairman and Vice Chairman, who serve two-year terms.

B. Introduction

The Agency's financial statements are prepared in accordance with generally accepted accounting principles (GAAP). The Governmental Accounting Standards Board (GASB) is responsible for establishing GAAP for state and local governments through its pronouncements (Statements and Interpretations).

C. Basis of Accounting

The Agency's operations are accounted for as a governmental enterprise fund. Generally accepted accounting principles require that enterprise funds use the accrual basis of accounting - like business enterprises. Accordingly, revenues are recognized when they are earned, and expenses are recognized at the time liabilities are incurred.

The Agency distinguishes between operating revenues and expenses from nonoperating items. Operating revenues and expenses generally result from providing services in connection with an entity's principal ongoing operation. The principal operating revenues of the Agency relate to mooring, dredging and navigational channel implementation activities. Operating expenses include the cost of services, administrative expenses, and depreciation on capital assets. Any revenues and expenses not meeting this definition are reported as non-operating revenues and expenses.

D. Financial Statement Amounts

Cash and Cash Equivalents

For purposes of the statement of cash flows, the Agency has defined cash and cash equivalents to include cash on hand and demand deposits, if any, and short-term investments with fiscal agent (County of Marin).

Capital Assets

Capital assets owned by the Agency are recorded at cost, or if received in-kind, at estimated fair market value on the date received. The cost of normal repairs and maintenance are recorded as expenses. Improvements that add to the value or extend the life of assets are capitalized. Assets capitalized have an original cost of \$2,500 or more, and over one year of estimated useful life. Depreciation expense is calculated using the straight-line method over estimated useful lives of ten years for boats and related equipment. Depreciation expense for the year ended June 30, 2022, was \$10,608.

Richardson Bay Regional Agency  
NOTES TO BASIC FINANCIAL STATEMENTS  
For the Year Ended June 30, 2023

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (concluded)

D. Financial Statement Amounts (concluded)

Revenues

Grants received for operating purposes, or which may be utilized for either operations or capital expenditures at the discretion of the recipient, are recognized as operating revenues. Resources restricted for the acquisition or construction of capital assets are recorded as non-operating revenue.

Salaries and Benefits

The Agency's Harbor Administrator is an employee of the County of Marin and participates in the Marin County Employees' Retirement Association (MCERA). Pension information for this employee is included in the County's financial statements. The Agency reimburses the County for the salary and benefits paid for the Administrator.

Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Management estimates that the salary and related benefits of the Harbor Administrator are allocable in the following manner: 50% to operating and security, 2% to maintenance, and 48% to administration and general.

NOTE 2 - CASH

Cash and investments at June 30, 2023 and June 30, 2022, consisted of the following:

	<u>2023</u>	<u>2022</u>
Pooled cash at the County of Marin	\$ <u>2,879,833</u>	\$ <u>-</u>

The Agency maintains all its cash in the County of Marin pooled investment fund to increase interest earnings through pooled investment activities. Interest earned in the investment pool is allocated quarterly to the participating funds using the daily cash balance of each fund. This pool, which is available for use by all funds, is displayed in the financial statements as "Cash and pooled investments."

The County Pool includes both voluntary and involuntary participation from external entities. The Agency is a voluntary participant. The State of California statutes require certain special districts and other governmental entities to maintain their cash surplus with the County Treasurer. The Agency has approved by resolution, the investment policy of the County of Marin which complies with the California Government Code.

The County's investment pool is not registered with the Securities and Exchange Commission as an investment company. The pool has a credit rating of "AAA/V1." Investments made by the Treasurer are regulated by the California Government Code and by the County's investment policy. The objectives of the policy are in order of priority, safety, liquidity, yield, and public trust.

The County has established a treasury oversight committee to monitor and review the management of public funds maintained in the investment pool in accordance with Article 6 Section 27131 of the California Government Code. The oversight committee and the Board of Supervisors review and approve the investment policy annually. The County Treasurer prepares and submits a comprehensive investment report to the members of the oversight committee and the investment pool participants every month. The report covers the types of investments in the pool, maturity dates, par value, actual costs, and fair value.

Richardson Bay Regional Agency  
NOTES TO BASIC FINANCIAL STATEMENTS  
For the Year Ended June 30, 2023

NOTE 2 - CASH (concluded)

GASB Statement No. 72, *Fair Value Measurements and Application*, establishes a fair value hierarchy consisting of three broad levels: Level 1 inputs consist of quoted prices (unadjusted) for identical assets and liabilities in active markets that a government can access at the measurement date, Level 2 inputs consist of inputs other than quoted prices that are observable for an asset or liability, either directly or indirectly, that can include quoted prices for similar assets or liabilities in active or inactive markets, or market-corroborated inputs, and Level 3 inputs have the lowest priority and consist of unobservable inputs for an asset or liability. The Agency's investments in the Marin Co. Treasurer's Investment Fund were an uncategorized input and not defined as a Level 1-3 input.

Interest Rate Risk

In accordance with its investment policy, the County manages its exposure to declines in fair values by limiting the weighted average maturity of its investment pool to 540 days, or 1.5 years. At June 30, 2023, the County's investment pool had a weighted average maturity of 218 days. For purposes of computing weighted average maturity, the maturity date of variable rate notes is the length of time until the next reset date rather than the stated maturity date.

Credit Risk-Investments

State law and the County's Investment Policy limits investments in commercial paper, corporate bonds, and medium-term notes to the rating of "A" or higher as provided by Moody's Investors Service or Standard & Poor's Corporation. The County's Investment Policy limits investments purchased by Financial Institution Investment Accounts, a type of mutual fund, to United States Treasury and Agency obligations with a credit quality rating of "AAA."

Custodial Credit Risk

Custodial credit risk for deposits is the risk that, in the event of the failure of a depository financial institution, a government will not be able to recover its deposits or will not be able to recover collateral securities that are in the possession of an outside party. The custodial credit risk for deposits and investments is the risk that, in the event of the failure of the counterparty (e.g., broker-dealer) to a transaction, a government will not be able to recover the value of its investment or collateral securities that are in the possession of another party.

The California Government Code requires California banks and savings and loan associations to secure an entity's deposits by pledging government securities with a value of 110% of an entity's deposits. California law also allows financial institutions to secure entity deposits by pledging first trust deed mortgage notes having a value of 150% of an entity's total deposits. The entity's Treasurer may waive the collateral requirement for deposits which are fully insured up to \$250,000 by the FDIC.

The collateral for deposits in federal and state-chartered banks is held in safekeeping by an authorized agent of depository recognized by the State of California Department of Banking. The collateral for deposits with savings and loan associations is generally held in safekeeping by the Federal Home Loan Bank in San Francisco, California as an agent of depository. These securities are physically held in an undivided pool for all California public agency depositors. Under Government Code Section 53655, the placement of securities by a bank or savings and loan association with an agent of depositor has the effect of perfecting the security interest in the name of the local government agency. Accordingly, all collateral held by California agents of depository are held for, and in the name of, the local government.

Richardson Bay Regional Agency  
NOTES TO BASIC FINANCIAL STATEMENTS  
 For the Year Ended June 30, 2023

NOTE 3 - CAPITAL ASSETS

The following is a summary of changes in capital assets:

	June 30, 2021	Additions	Deletions	June 30, 2023
Patrol boats and trailers	\$ 105,472	\$ -	\$ -	\$ 105,472
Total	<u>105,472</u>	<u>\$ -</u>	<u>\$ -</u>	<u>105,472</u>
Accumulated depreciation	<u>(94,864)</u>			<u>(105,472)</u>
Capital assets - net	<u>\$ 10,608</u>			<u>\$ -</u>

NOTE 4 - RISK MANAGEMENT

The Agency is exposed to various risks of loss related to torts, bodily and personal injury, property damage, errors and omissions, and non-owned auto coverage for which the Agency carries commercial insurance. The Agency also maintains watercraft insurance, and related protection and indemnity insurance. Additional coverage is provided by the County for injuries to employees.

Each Agency member is responsible for its pro-rata share of any court-imposed liability, using the joint powers' agreement cost-sharing formula.

NOTE 5 - RELATED PARTY TRANSACTIONS

The Agency's staff are employees of the County of Marin (a member of the Agency). The costs incurred by the Agency to the County were approximately \$258,329 and \$146,807 for 2021-22 and 2022-23, respectively.

NOTE 6 - CONTINGENCIES

Litigation

The Agency is involved in litigation incurred in the normal course of conducting Agency business. Legal counsel is currently not able to provide an estimate or range of potential loss in the event of an unfavorable outcome for these cases. Agency management believes, based upon consultation with its counsel, that these cases, in aggregate, are not expected to result in a material adverse financial impact on the Agency.