

# **RICHARDSON'S BAY REGIONAL AGENCY**

Thursday, January 11, 2018

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

**Tiburon Town Hall**

1505 Tiburon Boulevard, Tiburon, CA

*The Richardson's Bay Regional Agency Board of Directors encourages a respectful dialogue that supports freedom of speech and values diversity of opinion. The Board, staff and the public are expected to be polite and courteous, and refrain from questioning the character or motives of others. Please help create an atmosphere of respect by not booing, whistling or clapping; by adhering to speaking time limits; and by silencing your cell phone.*

***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. Approval of the minutes of November 9, 2017 Regular Meeting
2. Community Outreach Subcommittee Report (10 Minutes) and Presentation regarding Community Efforts (10 Minutes)
3. Harbor Administrator Report: Budget report year-to-date, approval of prior expenditures for November 2017 – January 1, 2018
4. Resolution No. 02-18 adopting a Board of Directors meeting schedule for 2018, and provide direction on meeting location(s).
5. Resolution No. 03-18 adopting Guiding Principles for the Board of Directors in making decisions for the future of Richardson's Bay
6. Open time for public expression. Members of the public are welcome to address the Board for up to three minutes per speaker on matters not on the agenda. Under the state Brown Act, Board members may not deliberate or take action on items not on the agenda, and generally only may listen.
7. Staff comments
8. Board member matters.

**NEXT MEETING: February 8, 2018.**

**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@marincounty.org](mailto:dallee@marincounty.org)**



# **RICHARDSON'S BAY REGIONAL AGENCY**

**DRAFT MINUTES OF NOVEMBER 9, 2017**

**HELD AT MILL VALLEY CITY HALL CHAMBERS**

**MEMBERS PRESENT:** Marty Winter, Chair (Belvedere); Kathrin Sears (Marin County); Jim Wickham (Mill Valley); Jim Fraser (Tiburon)

**ABSENT:** None

**STAFF:** Beth Pollard, (Executive Director); Bill Price (Harbor Administrator)

**ADDITIONAL:** None

Meeting called to order at 6:00 PM.

## **Minutes of September 14, 2017 Special Meetings**

Draft minutes were approved unanimously.

### **Presentation regarding Community Efforts**

Alden Bevington went over the Richardson Bay Special Anchorage Association's community efforts to create a safer anchorage and invited the Executive Director to attend their upcoming meeting.

### **Harbor Administrator's Report**

Mr. Price announced that he had applied for a \$100,000 Supplemental SAVE Grant from State Boating and Waterways that would be available in April 2018 if approved.

He also reviewed the Fall 2017 water quality test report and highlighted the Waldo Point Gates 's Cooperative's improved results.

The report was accepted unanimously.

### **Budget report: approval of prior year's expenditures for current year's expenditures from July 1, 2017 – October 31, 2017**

The budget reports were accepted unanimously.

### **Staff report / Resolution No. 01-18 accepting \$71,700 in SAVE (Surrendered and Abandoned Vehicle Exchange) Funds and amending budget to reflect**

Mr. Price explained that a Funds Assist was arranged through the Division of Boating and Waterways and two jurisdictions (Tuolumne County and Avalon Harbor) which allowed them to share their expiring SAVE funds with the RBRA to address abandoned vessels within our waters that were immediate problems while we awaited approval of the 2017-18 SAVE Grant.

The Board approved the report and Resolution 01-18 was passed unanimously.

## **2018 Work Plan**

Executive Director Pollard outlined the draft work plan in her staff report, stressing that she had embarked on a learning tour with an initial focus on people rather than paper, and that there was a lot of fear, anxiety and uncertainty within the various interest groups she had contacted. She recommended the Board adopt a work plan with a focus on establishing congruence between its plans, policies and ordinances and activity that takes place on the bay. She further recommended that the Board meet more frequently in order to accomplish the work plan. She asked for one or two Board volunteers to work on the first item in the work plan – Guiding Principles.

Member Sears asked her to accentuate collaboration with anchor-outs and the City of Sausalito, and she asked that we work toward improving the website and achieving fiscal responsibility. All the members echoed the need for a better website to increase ease of communication, and Member Fraser urged holding our feet to the fire to achieve progress. Member Winter asked that the Rapid Response program receive extra attention. He volunteered to assist with the Guiding Principles. The 2018 Work Plan, as amended by the comments, was accepted unanimously.

## **Public Comments not on agenda**

Kevin Kiffer asserted that the RBRA was not listed on the roster of joint powers agencies and was operating with no authority under false pretenses as an illegal entity. He said he would seek a court ordered injunction for violation of JPA rules.

Robert Roark stated his intent to file a lawsuit if he was not reimbursed for damages sustained in a storm in January 2017.

Doug Storms said he was very optimistic with the new direction of the RBRA, and wanted to focus on removing underwater hazards, and utilizing the anchor-outs with help in rescue drifting vessels to alleviate Belvedere's problems.

Alden Bevington asked staff to pursue a design solution to keep boats off of the shore.

## **Staff Comments**

Staff noted a collaborative effort with the City of Sausalito on a volunteer debris pick-up day on November 28, where both agencies would be on the water to collect trash bags from vessels.

## **Board Member Matters**

The meeting was adjourned at 7:30 PM.

# RICHARDSON'S BAY REGIONAL AGENCY

HARBOR ADMINISTRATOR'S REPORT

January 3, 2018

## WORKING RELATIONSHIPS

- **Boating and Waterways** – Submitted SAVE reimbursal request for \$41,307.08 for work completed in fall of 2017, removing over 17 vessels 2) Tracking the supplemental grant request for an additional \$100,000 in funding for abandoned vessel removal. 3) Attended the Clean Boating Network meeting to pursue additional funding sources for pump-out vessel program
- **US Coast Guard** – Meeting regularly with Abandoned Vessel Group, with reps from Marin Sheriff's Office and Sausalito Police Department in attendance
- **US Army Corps of Engineers** – Coordinated the disposal of a large tugboat from a Sausalito marina that had been an ongoing water quality issue prior to June 2017
- **Marin Sheriff's Office** - Worked in conjunction with MSO to dispose of 7 Marine Debris Vessels; 2) scheduled to accompany deputies on a vessel census count in early February
- **Sausalito Police Department** – worked as the transfer boat for Debris Day. A 20 yard debris box was filled with stuff collected from boats on the anchorage. MSO assisted aboard RBRA patrol boat

## DEBRIS REMOVAL

- Local beaches are being cleaned by the Adult Offender Work Program "volunteers" on a regular basis
- 16 vessels were disposed since 11/1/17. 8 Marine Debris; 3 Abandoned Watercraft Abatement Fund (AWAF) - sunk; 5 Vessel Turn-in Program (VTIP)
- 3 additional small unregistered sunken vessels and 2 derelict docks were disposed of
- 6 boats are currently impounded - 2 boats stored for disposal

## RAPID RESPONSE

- North wind storm created problems for Sausalito marinas and shoreline on 12/16. Contacted our Rapid Response contractor who patrolled area, but did not need to intervene due to the large presence of available marine safety assets during the day.
- Mr. Scott Elrod of Belvedere contributed \$1000.00 to the RBRA to assist with the Rapid Response Program

## WATER QUALITY

- Winter water quality tests resume in February
- Chuck Bradley, with American Storage Systems donated 8 porta-potties to the RBRA. These are available through the pump-out program
- Responded to a minor fuel leakage at Corps dock. Secured booms and picked up debris field

## OTHER

- Working to establish a regular debris removal program, with cooperation from the anchor outs. Heavy duty orange trash bags will be distributed and once filled will either be placed at the Corps pier or will be collected if placed on the bow of participating vessels

Richardson Bay Regional Agency

**RBRA Vessel Disposal List - Nov. - Dec. 2017**

Date	Name	Type	Amount	Condition	Location
11/1/2017	SUNRUNNER	24' f/g powerboat	\$ 3,500.00	VTIP	Marin Co. harbor
12/2/2017	TRANTILLUS	28' f/g sailboat	645.40	VTIP	Marin Co. harbor
12/2/2017	WINDOWS	27' f/g sailboat	235.00	abandoned - MDV	Marin County
12/2/2017	CATALINA 27	27' f/g sailboat	235.00	abandoned - MDV	Marin County
2/8/2017	DRAGONFLY	35' ferro sailboat	8,397.50	abandoned - MDV	Marin County
12/9/2017	CINARIE	24' f/g sailboat	235.00	abandoned - MDV	Marin County
12/9/2017	BANTIK	32' f/g sailboat	1,604.92	VTIP	Marin Co. harbor
12/12/2017	JET SKI	9' f/g jet ski	0.01	abandoned - MDV	Marin County
12/12/2017	BARTUNEK	24' f/g powerboat	608.55	VTIP	Marin County
12/12/2017	CORWIN	20' f/g runabout	815.00	sunk - abnd. - MDV	Marin County
12/16/2017	CHRYSLER ORANGE **	18' f/g runabout	0.01	sunk - abnd. - MDV	Marin County
12/18/2017	AMADOR **	65' wood/steel tug	6,370.96	sunk - abnd - COE assist	Sausalito harbor
12/28/2017	HOBIE CAT **	16' f/g sailboat	0.01	sunk - abnd. - MDV	Marin County
12/28/2017	NAMASTE **	40' f/g sailboat	4,750.00	VTIP	Marin Co. harbor
12/31/2017	QUEEN BEE **	27' f/g powerboat	650.00	abandoned - MDV	Marin County
12/31/2017	KAY TOO **	40' wooden sailboat	650.00	abandoned - MDV	Marin County

\*\* final bills not received

**16 vessels total \$ 28,697.36**

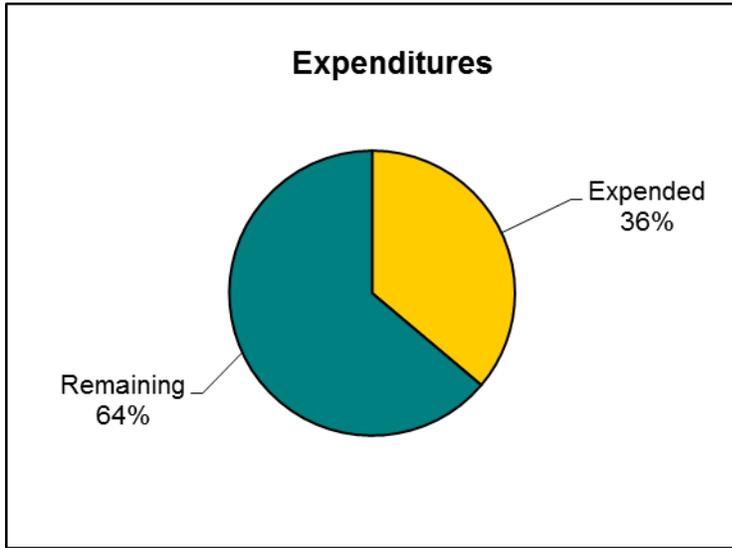
**RBRA Budget-to-Actuals**  
**July 1-December 31, 2017**

Revenues	FY 17-18 Budget	Actuals to date	(OVER)/UNDER BUDGET
Interest Pooled Invst	\$ (300)	\$ 434	\$ (134)
Slip Rentals	\$ (7,000)	\$ 3,475	\$ 3,525
Other Sales & Services	\$ (6,000)	\$ 4,563	\$ 1,437
Intergovt Revs-State	\$ (202,800)	\$ 21,787	\$ 181,013
Intergovt Revs-Local	\$ (345,997)	\$ 345,997	\$ -
<b>Total</b>	<b>\$ (562,097)</b>	<b>\$ 376,256</b>	<b>\$ 185,841</b>

Expenditures	FY 17-18 Budget	Actuals to date	(OVER)/UNDER BUDGET
Professional Services	\$ 522,772	\$ 178,196	\$ 344,576
Insurance Premiums	\$ 17,000	\$ 15,024	\$ 1,976
Communication	\$ 2,400	\$ 977	\$ 1,423
Rental & Oper Leases	\$ 32,000	\$ 12,415	\$ 19,585
Prof. Devel. Expenses	\$ 600	\$ 926	\$ (326)
Travel & Meetings	\$ 1,100	\$ 369	\$ 731
Publication	\$ 1,200	\$ -	\$ 1,200
Office Expenses	\$ 350	\$ 127	\$ 223
Maint. & Repair-Equip	\$ 8,000	\$ 3,325	\$ 4,675
Oil and Gas	\$ 600	\$ 559	\$ 41
<b>Total</b>	<b>\$ 586,022</b>	<b>\$ 211,917</b>	<b>\$ 374,105</b>

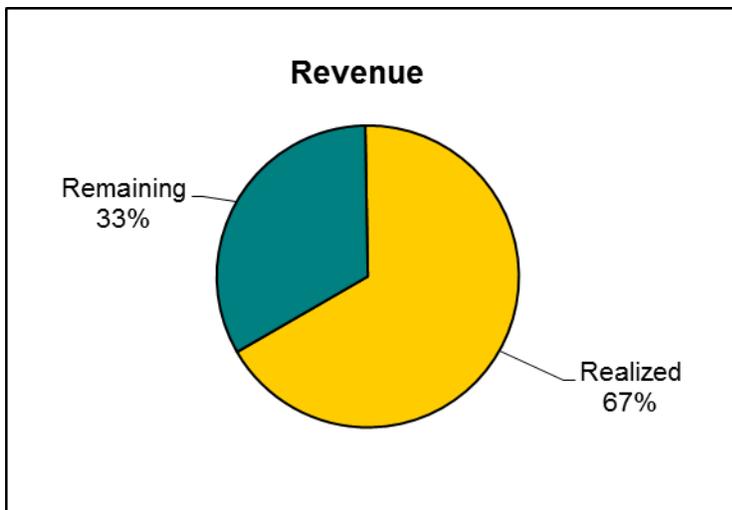
Revenue over Expenditure \$ 164,338  
Required use of fund balance \$ -

# FY 2017-18 Budget December 31, 2017



### Expenditures vs. Adopted Budget

Expenditures	\$211,917
Adopted Budget	\$586,022



### Realized Revenue vs. Budgeted Revenue

Realized Revenue	\$376,256
Budgeted Revenue	\$562,097

# **RICHARDSON'S BAY REGIONAL AGENCY**

## **STAFF REPORT**

For the meeting of: January 11, 2018

**To:** Board of Directors  
**From:** Beth Pollard, Executive Director  
**Subject:** 2018 Meeting Schedule

### **STAFF RECOMMENDATION:**

Adopt Resolution No. 02-18 establishing a meeting schedule for the Board of Directors of the Richardson's Bay Regional Agency for calendar year 2018, and provide direction on meeting location(s).

### **BACKGROUND:**

In the recent past, the Board of Directors generally has met on the second Thursday of every other month. In November 2017, the Board adopted an ambitious 2018 work plan to address issues of inconsistencies between adopted plans, policies, and ordinances and activities taking place on Richardson's Bay, in addition to conducting its normal course of business.

### **DISCUSSION:**

In adopting the 2018 work plan, the Board expressed interest in deliberate and due speed in achieving outcomes. To help ensure continuous forward progress, staff recommends the Board commit to monthly meetings throughout 2018, with the exception of August. Staff has drafted the attached schedule to reflect this recommendation. Contained in the resolution is a provision authorizing the Board Chair to make changes in the date, time and place, or to cancel the monthly meeting, if circumstances warrant such a change or cancellation.

One point of discussion is meeting location. Per State law/Brown Act, the Board meetings must take place within the boundaries of one of the member jurisdictions. Prior to Sausalito's departure from RBRA, Board meetings took place at Sausalito City Hall. Since Sausalito is no longer a member, its city hall or other facility in the City of Sausalito is not an option.

One option is to rotate the meetings among the four member jurisdictions. The advantages of this system are to give residents of all member jurisdictions equivalent proximity in attending meetings; to equivalently engage the staff of the member agencies; and to equivalently allocate hosting duties and responsibilities.

The complicating location in a rotation is the County; while the Marin County Civic Center could be a meeting location it is furthest away. With assistance from Supervisor Sears' office, we are exploring unincorporated Southern Marin options, preferably one that does not charge a fee.

The disadvantages of rotating meetings are that members of the Board and community will need to track the meeting location, and some locations may be easier than others to access by persons in the anchorage.

Lastly, meetings that take place in city or county owned or controlled facilities tend to allow RBRA more flexibility in managing meeting logistics than those in rented facilities.

**RECOMMENDED NEXT STEPS:**

1. Adopt Resolution No. 02-18 setting the 2018 meeting date schedule for the second Thursday of every month, which would be these dates:

January 11  
February 8  
March 8  
April 12  
May 10  
June 14  
July 12  
No meeting in August  
September 13  
October 11  
November 8  
December 13

2. Give direction to staff on preferred meeting location(s). If a rotation is chosen, staff would post the full year meeting schedule and locations on the RBRA website and note the location of the following meeting at the end of the Board agenda. If a location that charges a rental fee is chosen, that cost would be an unbudgeted expense out of the RBRA budget.

Attachment  
Resolution No. 02-18

# RICHARDSON'S BAY REGIONAL AGENCY

## **RESOLUTION NUMBER 02-18**

### **OF THE RICHARDSON'S BAY REGIONAL AGENCY ESTABLISHING A BOARD OF DIRECTORS MEETING SCHEDULE FOR CALENDAR YEAR 2018**

WHEREAS, the Board of Directors of the Richardson's Bay Regional Agency (Board) typically has met approximately every other month; and

WHEREAS, the Board has adopted its work plan for calendar year 2018; and

WHEREAS, to accomplish its work plan, the Board recognizes the need to meet more frequently,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Richardson's Bay Regional Agency hereby establishes its regular meeting date and time as the second Thursday of every month except August, and generally from 5:30 p.m. to 7:30 p.m.; and

BE IT FURTHER RESOLVED that the Board authorizes the Board Chair to make changes in the date, time and place, or to cancel the monthly meeting, if circumstances warrant such a change or cancellation.

PASSED AND ADOPTED by the Board of Directors of the Richardson's Bay Regional Agency on January 11, 2018.

CERTIFICATION:

\_\_\_\_\_

Marty Winter - Board Chair

\_\_\_\_\_

Beth Pollard – Exec. Dir.



# **RICHARDSON'S BAY REGIONAL AGENCY**

## **STAFF REPORT**

January 11, 2018

**To:** RBRA Board  
**From:** Beth Pollard, Executive Director  
**Subject:** Resolution No. 03-18 adopting Guiding Principles for the Board of Directors in setting its future direction

### **STAFF RECOMMENDATION:**

Adopt Resolution No. 03-18 adopting Guiding Principles for the Board of Directors in making decisions about the future of the bay.

### **BACKGROUND:**

On November 9, 2017, the Board of Directors adopted a work plan for calendar year 2018. Contained in that work plan, and scheduled for January 2018, is adoption of Guiding Principles. The purpose of the principles is to publicly establish and acknowledge how the Board will make decisions about the future of the bay.

The principles span areas that include:

- 1) Relationships with stakeholders
- 2) Regard for specialized expertise and knowledge
- 3) Concern for impact on lives
- 4) Concern for environmental conditions
- 5) Communication between RBRA and the community
- 6) Opportunities for collaboration
- 7) Fiscal responsibility
- 8) Deliberate speed in achieving results
- 9) Implementation, enforcement, and maintenance
- 10) Meeting protocol

### **DISCUSSION:**

Current plans, policies and ordinances for Richardson's Bay are not always consistent with all of the activity that takes place on Richardson's Bay. The Board of Directors is the local governing body that is responsible for determining policy direction and overseeing its implementation. As

such, the Board is poised to develop actions to address and rectify inconsistencies. The purpose of adopting Guiding Principles is to establish how the Board will make decisions on its direction.

The content of the principles was drafted with the intention of reflecting ideas from various stakeholders and other individuals that included the desire to develop greater transparency and confidence around how policy decisions are made.

As to the process for review and adoption of the principles, staff proposes allowing time during the January 11<sup>th</sup> meeting for members of the public to review and informally offer comments on the draft. Staff will post the principles on flip chart paper around the room, and provide tools on which individuals can write their comments and affix to the drafts. Staff will be prepared to assist anyone with a disability that inhibits writing.

At the conclusion of the informal comment period, staff will review the comments with the Board and invite Board member questions and comments. Depending on the number and/or complexity of the comments, the Board may either take action to adopt the principles that evening, or provide direction to staff on revisions to bring back in February.

**RECOMMENDED NEXT STEPS:**

Adopt Guiding Principles to guide the Board through upcoming decisions about the future of the bay. These principles will be posted on the RBRA website.

Attachment:

Resolution No. 03-18 with draft Guiding Principles

# RICHARDSON'S BAY REGIONAL AGENCY

## **RESOLUTION NUMBER 03-18**

OF THE RICHARDSON'S BAY REGIONAL AGENCY

ADOPTING GUIDING PRINCIPLES FOR THE BOARD OF DIRECTORS  
IN MAKING DECISIONS ABOUT THE FUTURE OF THE BAY

WHEREAS, it is the intention and responsibility of the Board of Directors of the Richardson's Bay Regional Agency (Board) to make decisions affecting the future of Richardson's Bay; and

WHEREAS, the Board wishes to be clear and transparent in how it will approach making such decisions; and

WHEREAS, the 2018 Work Plan adopted by the Board on November 8, 2017 provided for the Board to adopt Guiding Principles to establish its approach to decision making; and

WHEREAS, members of the public have had the opportunity to comment on the draft Guiding Principles,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Richardson's Bay Regional Agency hereby adopts the attached Guiding Principles to inform how it will approach making decisions about the future of Richardson's Bay.

PASSED AND ADOPTED by the Board of Directors of the Richardson's Bay Regional Agency on January 11, 2018.

CERTIFICATION:

\_\_\_\_\_

Marty Winter - Board Chair

\_\_\_\_\_

Beth Pollard – Exec Dir.



## Draft

### Richardson's Bay Regional Agency Board of Directors Guiding Principles

The Board of Directors of the Richardson's Bay Regional Agency is the local governing body that is responsible for determining policy direction for Richardson's Bay and overseeing its implementation. The Board recognizes that current plans, policies and ordinances for Richardson's Bay are not always consistent with all of the current activity taking place on Richardson's Bay. The Board is poised to develop actions to address and rectify incongruence. The purpose of adopting Guiding Principles is to establish how the Board will make decisions on its direction.

#### *1. Relationships with stakeholders:*

We will seek to understand the perspectives of stakeholder organizations and individual stakeholders before making policy decisions. Stakeholder organizations include, but are not limited to, the Audubon Society; Bay Development and Conservation Commission; Floating Homes Association; Marin County Sheriff; Richardson's Bay Special Anchorage Association; and the City of Sausalito. Individual stakeholders include but are not limited to persons who own boats and/or live on Richardson's Bay; Sausalito marina owners and their boat owners; owners of property on the bay; and (other) members of the communities of Belvedere, Mill Valley, Tiburon, and unincorporated County of Marin near Richardson's Bay.

#### *2. Regard for specialized experience and knowledge:*

Persons with first-hand experience and/or trained knowledge will help inform our deliberations. For example, persons who have lived on the water have specialized knowledge about that experience. Persons who have studied and/or worked in environmental science have specialized knowledge about that field.

#### *3. Concern for impact on lives:*

We recognize that decisions we make about the future direction of Richardson's Bay will impact the lives of people who live on the bay, have vessels on the bay, live along the bay, and who live in other areas of our respective jurisdictions. We will bear in mind these impacts when we weigh our options and make our decisions, and we will look for ways we can minimize negative human impacts.

#### *4. Concern for environmental conditions:*

We recognize we are stewards of the environment of the bay and its water quality and natural resources, including rocky and sandy shorelines, wetlands, mudflats, eelgrass and open water habitats, for the benefit of recreation and wildlife. We will bear in mind the impacts of our decisions on the environment of the bay.

*5. Communication between RBRA and the community:*

We will be transparent with information as we work to make decisions, we will ask questions when we do not understand, and we will support means for conveying information between the public and the Board that includes an improved website

*6. Opportunities for collaboration*

We will be open to ways that we can collaborate with other organizations to achieve our goals.

*7. Fiscal responsibility*

We will be mindful of our fiscal responsibility to our constituents to use tax dollars prudently, carefully and wisely.

*8. Deliberate speed in achieving results.*

We will be mindful about taking actions in a timely manner, while respecting the need to having sufficient information on which to base our decisions. We recognize that the thirst for more information and time is ever present, and that as representatives of our agencies we have the responsibility to make the best decisions we can with the information that is available using a reasonable amount of staff time, Board time, and calendar time.

*9. Implementation, Enforcement and Maintenance*

We recognize that wherewithal to implement, enforce and maintain will be required for our decisions on policies, plans, ordinances, and other actions. We will not adopt rules and regulations for which we will not establish credible and reliable means of operation, enforcement, and maintenance.

*10. Meeting protocol*

We will adhere to the Brown Act open meeting laws, and we will request the public's understanding that it constrains the Board members' ability to respond to comments from the public. We encourage a respectful dialogue that supports freedom of speech and values diversity of opinion. The Board, staff and the public are expected to be polite and courteous, and refrain from questioning the character or motives of others. We will expect persons in attendance to refrain from booing, whistling and clapping, to adhere to speaking time limits, and to silence cell phones.