

RICHARDSON'S BAY REGIONAL AGENCY

Board of Directors Meeting Agenda

Special Meeting

Thursday, May 2, 2019

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

Belvedere City Hall Council Chamber

450 San Rafael Avenue, Belvedere

The RBRA 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 a respectful atmosphere by not booing, whistling or clapping; by adhering to speaking time limits; and by silencing your phone.

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

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

1. Approval of minutes, March 14, 2019.
2. Information Item: Community Outreach Subcommittee report and presentation on Community Efforts
3. Fiscal Year 2019-20 Budget. Staff recommendation: Approve Resolution No. 02-19 adopting the fiscal year 2019-20 budget in the amount of \$663,916.
4. Information Item: Harbor Administrator's Report.
5. 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.
6. Comments:
 - a) Staff: The merit hearing the proposed ordinance updating definitions, providing for vessel conditions required for mooring and anchoring in Richardson's Bay, and amending the location of appeal hearings, which passed first reading on March 14, 2019, is now scheduled for the regular meeting of June 13, 2019.
 - b) Board Member matters

AN AGENDA PACKET IS AVAILABLE AT THE SAUSALITO LIBRARY AND THE RBRA WEBSITE <http://rbra.ca.gov>, WHERE WRITTEN COMMENTS MAY BE SENT. TO RECEIVE AN ELECTRONIC MEETING NOTICE, PLEASE EMAIL REQUEST TO DON ALLEE AT dallee@marincounty.org

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RICHARDSON'S BAY REGIONAL AGENCY

DRAFT MINUTES OF MARCH 14, 2019

HELD AT TIBURON TOWN HALL CHAMBERS

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

ABSENT: None

STAFF: Beth Pollard, (Executive Director) (patched in via cellphone due to bridge shut-down); Bill Price (Harbor Administrator)

Meeting called to order at 5:35 PM.

Minutes of February 14, 2019 Board of Directors meeting

Draft minutes were approved unanimously.

Community Outreach Subcommittee Report

Member Sears said that she had met with a small group from the RBSAA over coffee on January 15.

First reading of proposed ordinance updating definitions, providing for vessel conditions required for mooring and anchoring in Richardson's Bay, and amending the location of appeal hearings

Ms. Pollard outlined the item briefly and explained that a line-by-line reading of the proposed ordinance was not required in order to accomplish the purpose of the reading.

Alden Bevington stated that the ordinance had been developed in collaboration with the RBRA and the RBSAA, but he said he hadn't reviewed it completely. He liked the section covering safe harbor status, and he asked the Board to consider providing financial assistance to bring boats into compliance as a first line of defense. Barbara Salzman of the Marin Audubon Society expressed concern over the safe harbor section as too vague and needing more specific enforcement guidelines. Louis Tenwinkle, Director of RBSAA, wanted to get a boat that can deal with breakaway vessels, and he stated a goal to build a maritime anchorage community.

Walter Crump said that there were over 150 boats on the anchorage and people living on them had medical problems, were unemployable, took drugs, damaged property, caused pollution and exhibited criminal behavior. Douglas Storms spoke about a breakaway boat that was impounded as marine debris which he considered inaccurate. Mr. Bevington encouraged staff not to use the marine debris statute as a hammer. Robert Roark said that he should have been given at least 14 days at the Corps of Engineers to resolve his vessel issues by the laws of refuge. Opal Merlati hoped that the bad apples wouldn't ruin the anchorage forever and she voiced hope that Sausalito Mayor Joan Cox's ideas wouldn't be adopted by the RBRA. She recommended continuing the positive dialogue that had been ongoing for the past three years.

Member Sears moved to adopt the first reading of the proposed ordinance, and schedule a merit hearing for the next Board meeting on April 11, 2019. The motion carried unanimously.

Harbor Administrator's Report

Mr. Price reviewed his report and fielded questions regarding funding from Division of Boating and Waterways, and site locations of the water tests.

The report was accepted unanimously.

Public Comments

Terri Thomas of the North Bay Conservation Corps explained her organization's interest and projects with MCSTOPP, Cal Recycle, and oil spill prevention. She offered assistance with the anchor-out population in handing out oil absorbents and working with the Dock Walkers Program. Member Sears asked if their operation was separate from the County of Marin and Ms. Thomas said it was.

Adrienne Klein reported on the BCDC Enforcement Committee presentation on Richardson Bay, and she said that although they didn't take a position, the committee expressed their support for continued local enforcement efforts. Ms. Salzman said that there were five speakers in attendance speaking in support of increasing enforcement efforts and two anchor-outs in opposition.

Mr. Bevington reiterated his position about engaging RBRA financial resources to assist RBSAA organize a safer anchorage. He described the Sausalito enforcement efforts as a bulldozer approach and said that Sausalito Police don't follow up on theft reports from people on the anchorage. Mr. Tenwinkle said he wanted to see the anchorage work, with all parties working together, rather than engaging in lawsuits.

Staff Comments

Ms. Pollard updated the Board on the ongoing marine ecology mooring study being conducted by Merkel and Associates, which was in the data and information gathering stage in preparation for analysis. She thanked the local cities for contributing to the additional costs for the bathymetric and eelgrass surveys.

She also reported on efforts by the Coordinated Entry Program of Marin, who were engaged and actively working toward finding housing alternatives for individuals seeking a way off the water.

Board Member Matters

Member Sears announced that the Board of Supervisors was going to consider her request to adopt resolution celebrating March 22, 2019, as "World Water Day."

The meeting was adjourned at 6:40 PM.

RICHARDSON'S BAY REGIONAL AGENCY

STAFF REPORT

For the meeting of: May 2, 2019

To: RBRA Board of Directors
From: Beth Pollard, Executive Director
Subject: Fiscal Year 2019-20 Budget

STAFF RECOMMENDATION:

Approve Resolution No. 02-19 adopting the annual RBRA budget for fiscal year 2019-20.

BACKGROUND:

Each year in April or May, the Board of Directors adopts a budget for the next fiscal year that begins July 1 and ends June 30.

In developing the fiscal year 2019-20 budget, staff considered the following factors:

1. Projected actual revenues and expenses for fiscal year 2018-19 and projected expenses and revenue funds next year
2. State of California Division of Boating & Waterways grant funding for abatement of marine debris and abandoned vessels
3. Funding for actions that follow completion of marine ecology-based mooring feasibility and planning study
4. Reliance on member agency contributions for a significant portion of RBRA's revenue, recognizing city/county budget constraints

DISCUSSION/ANALYSIS:

Projected actual revenues, expenses, and adjustments for next year

Adjustments in operating revenues and expenses affecting next fiscal year's budget include:

1. Rental fees: There are three components of the increase in costs and decrease in revenues related to rental fees:
 - a. Slip rental: Increased fees for slip rental for the RBRA patrol vessel and waste vessel
 - b. Equipment rental: The greater the number of vessels abated, the greater the cost in equipment rental, in addition to standard inflation. In FY 2018-19, the number of vessels projected to be abated is **xx** more than FY 2017-18.

- c. Loss of mooring rental income: RBRA no longer rents out five moorings; these moorings, which were in Sausalito waters, were removed as they did not have the required sanctioning from the city or BCDC.
2. Other increases/cost of living adjustments: These include increased cost for the bi-annual audit and 3% cost-of-living increases for the Executive Director and Harbor Administrator.

SAVE funds

A stormier winter this year compared with last year resulted in greater use of State Boating & Waterways grant funds from the SAVE (Surrendered and Abandoned Vessel Exchange) program. There are still funds remaining in the 2018-20 SAVE funding allocation to handle a routine number of vessels until the next allocation is made in the fall, which is currently anticipated at \$200,000. The expenditure line item includes \$25,000 for vessel abatement not eligible for state/SAVE reimbursement.

Post Mooring Study policy direction and implementation actions

RBRA's marine ecology-based mooring study is scheduled to be completed and presented to the Board this summer. The study will inform potential Board policy direction and related actions towards the goal of improving the health, safety, and management of the bay. The Board's 2019 workplan calls for the following follow-up activities in the first half of the upcoming fiscal year:

- Conduct policy discussion on:
 - Mooring locations
 - Number of moorings
 - Vessel and mooring requirements
- If pursue moorings:
 - Consider management options for mooring ownership, installation, inspection, and maintenance (i.e. public, private, or both)
 - Develop an ordinance establishing mooring requirements
 - Prepare a mooring transition, management and finance plan
- Evaluate compatibility of policy discussion outcomes with existing policies, plans and regulations; determine next steps

The magnitude of costs associated with future Board direction is currently uncertain. It is reasonable to conclude that there will be various legal, technical, outreach, enforcement and other operational expenses from Board action following the study. Staff has programmed \$25,000 into the contingency line item above the \$10,000 base amount as at least an initial step in the implementation process. As more is known with Board direction, staff can also seek grant funds for eligible costs, and advise the Board and member agencies of any additional costs that lack available funding.

Member agency contributions

In the 2018-19 budget, the member agencies increased their contributions by 20% to complete the backfill of the revenue lost when the City of Sausalito withdrew from RBRA. The draft budget proposed to increase member contributions by 10%, which can be broken down approximately as follows:

Rental + general/cost of living increases: 4%

Contingency for post-study actions: 6%

FISCAL IMPACT/NEXT STEPS:

Adoption of the budget will allow continued operation of the agency. Budgeting \$25,000 for initial follow up actions from the mooring study will allow the agency to begin implementation of Board decisions. Potential additional funds include grants and carryover savings, if any, from 2018-29 fiscal year end.

Attach:

Draft Resolution No. 02-19

Proposed 2019-20 Budget

Member Agency Contributions

RICHARDSON'S BAY REGIONAL AGENCY

RESOLUTION NUMBER 02-19

OF THE RICHARDSON'S BAY REGIONAL AGENCY

ADOPTING A FISCAL YEAR 2019-20 BUDGET

WHEREAS, the Board of Directors annually establishes a budget of projected revenues and expenditures for the Richardson's Bay Regional Agency (RBRA); and

WHEREAS, RBRA staff has prepared a proposed 2019-20 budget that reflects cost estimates and revenue projections for the current and next fiscal years; and

WHEREAS, the proposed 2019-20 budget reflects an increase of 10% in member agency contributions; and

WHEREAS, the Board of Directors may make mid-year budget adjustments to reflect new grant commitments or additional assessments on member agencies to carry out the Board's direction; and

WHEREAS, the proposed budget was presented to the Board of Directors at its meeting of May 2, 2019, at which time the public had the opportunity to comment,

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby adopts the attached budget for fiscal year 2019-20 in the amount of \$663,916.

PASSED AND ADOPTED by the Board of Directors of the Richardson's Bay Regional Agency on May 2, 2019.

CERTIFICATION: _____

Marty Winter - Board Chair

Beth Pollard – Executive Director

FY 2019-20 Proposed Budget

EXPENDITURES		FY 18-19	FY 18-19	FY 19-20	
BUDGET ACCT	DESCRIPTION	Budget	Projected Actual	Proposed	Budget Notes
522510	PROFESSIONAL SERVICES	\$638,096	\$727,329	\$590,616	SAVE salvage; salary; legal; county management, etc.
521615	INSURANCE PREMIUMS	\$17,000	\$15,500	\$17,000	Property, liability
521310	COMMUNICATION	\$2,400	\$2,100	\$2,400	Phone, fax, internet, mobile
522910	RENTAL & OPER. LEASES	\$32,000	\$36,000	\$40,000	Office; slips/dry storage; heavy equip. rental
523210*	PROF. DEVEL. EXPENSES	\$600	\$600	\$600	Professional associations, continued education
523410*	TRAVEL & MEETINGS	\$1,500	\$300	\$1,000	Harbormaster conference
522815	PUBLICATION	\$1,200	\$750	\$1,200	Legal noticing
522410*	OFFICE EXPENSES	\$400	\$400	\$400	Misc.
521810	MAINT. & REPAIR - EQUIP	\$8,000	\$15,000	\$10,000	Vessel maintenance
	OIL AND GAS	\$700	\$700	\$700	Patrol boat
	TOTAL EXPENDITURES	\$701,896	\$798,679	\$663,916	

	FY 18/19	FY 18/19	FY 19/20	
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PROF. SERVICES BREAKOUT		Budget	Projected Actual	Proposed	Budget Notes
522545	LEGAL	\$36,000	\$30,000	\$35,000	Routine, regulations, enforcement
522510	RAPID RESPONSE PROGRAM	\$7,000	\$7,000	\$7,000	Contractor cost
522715	LAB SERVICES	\$8,534	\$8,700	\$9,000	Water quality testing
522510	SPECIAL APPOINTMENT	\$164,529	\$164,529	\$169,616	Harbor Administrator salary & benefits
522510	PROFESSIONAL SERVICES	\$235,533	\$210,000	\$225,000	SAVE grant/vessel abatement
	MARINE ECOLOGY STUDY	\$0	\$121,000	\$0	Merkel mooring study + eelgrass/bathymetric survey
522510	ADMINISTRATION	\$91,000	\$90,500	\$93,000	Exec Dir, Marin County CDA admin support, website
522510	AUDIT	\$6,500	\$18,000	\$9,000	Towards biennial audit expense
522510	WASTE AWEIGH PROGRAM	\$9,000	\$7,600	\$8,000	Sewage pump-out services
522510	STATE - SUPPLEMENTAL SAVE	\$70,000	\$70,000	\$0	
522510	CONTINGENCY	\$10,000	\$0	\$35,000	Mooring study follow up; outreach; other
	SUBTOTAL - PROF SERVICES	\$638,096	\$727,329	\$590,616	

REVENUES		FY 18/19	FY 18-19	FY 19-20	
		Budget	Projected Actual	Proposed	Budget Notes
441115	INTEREST POOLED INVST	\$900	\$2,400	\$1,200	
441215	SLIP RENTALS	\$7,000	\$4,800	\$0	Mooring rentals concluded FY 18/19
462610	OTHER SALES & SERVICES	\$6,000	\$10,000	\$6,000	Misc. reimbursement, vessel disposal chargeback
451970	INTERGOVT REVS - STATE	\$202,800	\$200,000	\$200,000	Boating & Waterways SAVE grants/vessel abatement
461250	INTERGOVT REVS - LOCAL	\$415,196	\$415,196	\$456,716	RBRA Member Dues: 10% increase
	ECOLOGY STUDY REVENUE	\$0	\$121,000	\$0	FY18-19: County 100K for study; 21K cities for surveys
451970	STATE - SUPPLEMENTAL	\$70,000	\$70,000	\$0	Not anticipated in FY 19-20 at this time
	TOTAL REVENUES	\$701,896	\$823,396	\$663,916	

Richardson's Bay Regional Agency

FY 2019-20 Proposed Member Agency Contributions

Jurisdiction & Percentage	2018-19 Contribution	2019-20 Proposed	Increase From 18-19
MILL VALLEY (7.7%)	31,970	35,167	3,197
BELVEDERE (11.5%)	47,748	52,523	4,775
TIBURON (15.4%)	63,940	70,334	6,394
MARIN COUNTY (65.4%)	271,538	298,692	27,154
	415,196	456,716	41,520

RICHARDSON'S BAY REGIONAL AGENCY

STAFF REPORT

For the meeting of May 2, 2019

To: RBRA Board of Directors
From: Bill Price – Harbor Administrator
Subject: 2018-19 3rd Quarter report

Vessel abatement activities

Over the past two months we have disposed of 14 boats, working around the massive tugboat disposal project that has been ongoing at the Corps of Engineers yard. Two boats salvaged during the winter have been under lien sale proceedings and are about to be fully settled. One was sold to cover towing / storage costs and the other is winding through DMV process.

We have spent about \$33,000 so far out of the \$180,000 SAVE grant for 2018/19. Although there is a Department of Boating & Waterways requirement to spend down 50% of our annual grant prior to applying for the upcoming year's funding, we have submitted a grant request for 2019-2020 along with a letter requesting special consideration as an active agency that historically has spent down every penny of our numerous grants. We are confident this will allow us to compete equally for funding next year.

Water quality






The water quality results from Winter 2019 are attached and it is evident that many sites were affected by the heavy rainfall, especially those sites located adjacent to storm drains.

The regular beach testing has been implemented by County of Marin Environmental Health Department, and the results at Schoonmaker Beach have been very good in the relatively dry weather.

Boat census survey

The survey conducted on March 15, 2019 showed that the vessel numbers had gone down substantially over the winter, with 146 vessels counted. A summary is attached to this report. The program was updated as well to make it more user friendly by modifying search functionality. We are also working with the sheriff's deputies to set up a survey format that can be accessed and edited on a more regular basis.

DRY SEASON






	Single Sample					30 Day Geo Mean
	10,000					1000
Total Coliform Not To Exceed	235					126
E. coli Not to Exceed	400					200
Fecal Coliform Not to Exceed	104					35
Enterococcus Not to Exceed						
						
SAUSALITO YACHT HARBOR Station #5	11-Sep-18	18-Sep-18	25-Sep-18	2-Oct-18	9-Oct-18	9-Oct-18
Total Coliform 10,000 / 1000	20	20	10	4352	197	81
E. coli 235 / 126	9	9	9	455	41	27
Fecal 400 / 200	2	79	2	240	33	19
Enterococcus 104 / 35	9	9	10	441	9	20

	11-Sep-18	18-Sep-18	25-Sep-18	2-Oct-18	9-Oct-18	9-Oct-18
SAUSALITO YACHT HARBOR Station #3						
Total Coliform 10,000 / 1000	211	31	10	1178	52	83
E. coli 235 / 126	31	10	9	231	10	23
Fecal 400 / 200	2	13	2	290	2	8
Enterococcus 104 / 35	9	9	9	262	9	18

	11-Sep-18	18-Sep-18	25-Sep-18	2-Oct-18	9-Oct-18	9-Oct-18
CONTROL STATION DAYMARK #6 Station						
Total Coliform 10,000 / 1000	10	145	9	135	52	39
E. coli 235 / 126	9	20	9	20	9	12
Fecal 400 / 200	2	8	2	22	2	4
Enterococcus 104 / 35	9	9	9	63	10	14

	11-Sep-18	18-Sep-18	25-Sep-18	2-Oct-18	9-Oct-18	9-Oct-18
BRIDGEWAY MARINA						
Total Coliform 10,000 / 1000	9	74	20	7701	110	102
E. coli 235 / 126	9	10	9	882	9	23
Fecal 400 / 200	2	13	2	2400	13	17
Enterococcus 104 / 35	9	9	9	906	10	23

WET SEASON

	Single Sample					30 Day Geo Mean
	10,000					1000
Total Coliform Not To Exceed	235					126
E. coli Not to Exceed	400					200
Fecal Coliform Not to Exceed	104					35
Enterococcus Not to Exceed						
						
SAUSALITO YACHT HARBOR Station #5	28-Feb-19	7-Mar-19	13-Mar-19	20-Mar-19	28-Mar-19	28-Mar-19
Total Coliform 10,000 / 1000	1187	959	158	1019	132	475
E. coli 235 / 126	110	160	20	10	10	32
Fecal 400 / 200	79	70	23	220	17	54
Enterococcus 104 / 35	109	189	20	10	10	33

	28-Feb-19	7-Mar-19	13-Mar-19	20-Mar-19	28-Mar-19	28-Mar-19
SAUSALITO YACHT HARBOR Station #3						
Total Coliform 10,000 / 1000	650	464	75	355	520	334
E. coli 235 / 126	63	52	20	63	31	42
Fecal 400 / 200	49	46	5	33	13	21
Enterococcus 104 / 35	122	63	9	75	10	35

	28-Feb-19	7-Mar-19	13-Mar-19	20-Mar-19	28-Mar-19	28-Mar-19
CONTROL STATION DAYMARK #6 Station						
Total Coliform 10,000 / 1000	1050	1086	228	31	181	271
E. coli 235 / 126	109	121	20	20	10	35
Fecal 400 / 200	79	240	79	23	280	99
Enterococcus 104 / 35	96	171	31	9	9	33

	28-Feb-19	7-Mar-19	13-Mar-19	20-Mar-19	28-Mar-19	28-Mar-19
BRIDGEWAY MARINA						
Total Coliform 10,000 / 1000	1935	933	538	313	6131	1133
E. coli 235 / 126	122	97	52	63	298	103
Fecal 400 / 200	140	49	33	280	350	117
Enterococcus 104 / 35	120	161	20	20	556	84

Richardson Bay Regional Agency

Vessel Survey Summary

March 15, 2019

Summary

One hundred and forty-six (146) vessels were observed in the county jurisdiction of Richardson's Bay during a 1- day survey on March 15, 2019. Richardson's Bay is divided into three zones – Zone 1, 2 and 3.

ZONE DESCRIPTION - NUMBER OF VESSELS

Zone 1 North of Channel Marker 8 - 55

Zone 2 Between Marker 8 and Marker 6 - 26

Zone 3 South of Marker 6 - 65

The vessel counts included 93 sailboats, 46 powerboats and 7 vessels that fit into the "other" category. This total does not include dinghies. Any vessel less than 12 feet in length was counted as a dinghy. There were sixty-one (61) dinghies observed. Twenty-nine (29) of these dinghies had engines. When a dinghy had a CF number the registration was captured in the notes section. Kayaks and rowboats were not included in this survey.

One hundred and five (105) vessels have a CF number, which could potentially mean they are registered with the State. Twenty-one (21) vessels have U.S. Coast Guard documentation. Twenty (20) vessels have no visible registration.

Following the March 15, 2019 survey, thirty-four (34) new vessels were added to the database. This brings the total number of vessels registered in the RBRA vessel survey (between February 2018 and March 2019) to three hundred and three (303) vessels.

Sixteen (16) vessels observed in County waters during the March 15, 2018 survey have been previously included in more than one of Sausalito's monthly surveys. Six vessels currently reside within the City of Belvedere waters.

Notes

- If a vessel was tethered to another vessel, and was greater than 12 feet in length, a new record was created for that vessel. However, if a vessel tethered to another vessel was less than 12 feet in length, and was capable of operating with a motor, it was tallied in the number of tenders.