

RICHARDSON'S BAY REGIONAL AGENCY

Thursday, February 9, 2017

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

Sausalito City Council Chambers 420 Litho Street Sausalito, 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 December 1, 2016 RBRA Meeting
2. Accept RBRA Financial Statements and Independent Auditor's Report for Fiscal Years Ended June 30, 2014 and 2015
3. Review report of Harbor Administrator
 - a. Budget report YTD, approval of prior expenditures for July-December, 2016
 - b. Update regarding enhanced enforcement effort
 - c. Storm Update
4. Presentation regarding Community Efforts (10 Minutes)
5. Staff report by Dan Eilerman, Asst. County Administrator (& Interim Executive Director)
 - a. Update regarding enhanced enforcement effort
 - b. Sausalito notice of intent to withdraw from RBRA
6. Public comments invited concerning items NOT on this Agenda (3-minute limit)
7. Staff comments
8. Board member matters

NEXT MEETING: April 13, 2017. Board members, please review your calendars and advise Staff as soon as possible 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@marincounty.org

RICHARDSON'S BAY REGIONAL AGENCY

DRAFT MINUTES OF DECEMBER 1, 2016

HELD AT SAUSALITO CITY HALL CHAMBERS

MEMBERS PRESENT: Erin Tollini (Tiburon); Marty Winter (Belvedere); Kathrin Sears (Marin County); Jim Wickham (Mill Valley); Jill Hoffman (alternate) (Sausalito)

ABSENT: None

STAFF: Dan Eilerman, (Interim Executive Director); Bill Price (Harbor Administrator);

ADDITIONAL: Jenna Brady (Marin County Counsel)

Meeting called to order at 5:35 PM. Adjourned directly to a closed session regarding legal issues.

Minutes of September 15, 2016 Meeting

Minutes were approved unanimously. Barbara Salzman asked to be recognized as speaking on behalf of the Audubon Society in future minutes.

Harbor Administrator's Report

Harbor Administrator Price explained the discrepancy in the numbers of vessels disposed of in the Vessel Turn-In Program (VTIP). Member Hoffman asked if the State Division of Boating could attend a future meeting to see if our VTIP program was in line. Member Wickham asked if local marinas were sidestepping their responsibility by not getting rid of their lien sale boats. The report was accepted unanimously.

Prior expenditures: September - November 2016

The expenditure report was accepted unanimously.

Report on efforts by Richardson Bay Special Anchorage Association (RBSAA)

Alden Bevington explained that the group meets once monthly and has a steering committee meeting prior to each general meeting. The aim is to slowly bring community-enforced management to the anchorage. He viewed the recent law enforcement push as having caused a rift in the community. He went through the numbers on the RBSAA demographic survey, stating the contact info on the boats and their owners was very thorough. The group was focused on seaworthiness, ground tackle, pump-out for sewage and registration. He invited members of the Board to meetings. He explained that there was a lot of push-back on unilateral enforcement actions and that we should consult the group prior to removing ground tackle of good mariners. He stated that the group was part of the solution and the RBRA should create a model of good government to preserve this essential piece of Sausalito culture.

Report by Sausalito Police Department and Marin Sheriff Department on enhanced enforcement efforts

Lt. Bill Fraass began the presentation outlining the problem of growing numbers of boats, clogged access points, more marine debris and derelict vessels and increased calls for responses. Deputy Kyle Couture addressed the policy of splitting the enforcement duties between SPD and MSO regardless of jurisdiction and went over the new Marine Debris law briefly, saying that 12 vessels had already been removed under that law. He also said that 14 vessels had been cited for registration violations. Lt. Fraass explained that the 19 unattended mooring balls that had been removed to date were acting as parking invites and attractive nuisances and SPD would continue to remove them. He planned to conduct the enhanced enforcement until the end of FY 17, and re-evaluate the situation at that time.

At the conclusion of the presentation there was a brief recess.

Dan Eilerman recommended that the Board continue following the enhanced enforcements plan's metrics which, as of December 1 had been nearly one-half completed regarding Marine Debris Vessels and nearly one-third completed regarding unattended moorings already. He asked the Board for approval of current year strategy for enhanced enforcement, including a \$20,000 increase in member contributions to support 1) removal of unoccupied marine debris, 2) removal of unattended moorings and floats, 3) additional enforcement of vessel registration requirements, and 4) increased budget allocation for legal research and defense. The increase was approved unanimously.

Jeff Chase spoke about freedom and non-violent disobedience. Scott Diamond asked about tightening rules in meetings to stick to points. Alden Bevington volunteered to help find the right boats and moorings for abatement. Doug Storms felt that the enforcement approach was expensive and created hazards when markers were removed that marked hazards. Barbara Salzman, speaking on behalf of the Audubon Society, stated that the program was a great beginning, that social services should be contacted for the people who needed it, and that she hoped the program wouldn't stop after 30 vessels were removed. Miranda Fry said her gear had been removed while she was off it temporarily and now she was stuck on a dock trying to retrieve her mooring.

Member Sears recommended that a subcommittee made up of her and Jim Wickham meet with Alden Bevington for further discussions, and member Wickham seconded that though, adding that he was looking for constructive input in further discussions. Member Sears stressed that the program addressed non-live aboard vessels and she made it clear she represented all Marin County residents. Member Winter said that this was the most contentious meeting of the RBRA he had ever attended and he made a case for the creation of a limited mooring field. Chair Tollini made a motion to form a subcommittee to meet with Mr. Bevington, and Member Sears seconded. Motion carried unanimously.

Public Comments not on agenda

Mr. Chase said that \$30,000 of public funds was estimated spent on each homeless person in San Francisco last year, and that there was no access for bathrooms, garbage and water here in Sausalito. He said the porta potty at Dunphy Park had been removed which had been used by anchor-outs to empty their waste containers. Pete Glaser and Bob Lorenzi both asked for an anchor-out representative on the RBRA. Mr. Storms said that we were making progress and he wanted to avoid a legal approach. John Takekana, director of the Audubon Preserve in Tiburon, felt that here was agreement that everyone in the room loved the Bay and we should build on that thought. Mr. Bevington thanked Member Sears and hoped for harmony in further discussions.

Staff Comments

None

Board Member Matters

None

The meeting was adjourned at 8:43 PM.

RICHARDSON'S BAY REGIONAL AGENCY

MEMORANDUM

February 9, 2017

TO: RBRA Board
FROM: Ben Berto, RBRA Clerk
SUBJECT: FY 2014-2015 Audit

Board members:

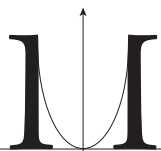
The Interim Executive Director asked me to prepare a memo discussing the RBRA Audit performed by Maher Accountancy for Fiscal Years from July 1, 2013 to June 30, 2014, and July 1, 2014 to June 30, 2015. While I will be unable to attend the February 9 Board meeting, Dan Eilerman will be present, as will Mike or John Maher from Maher Accountancy to address any questions or clarify any audit aspect.

No substantial issues were raised during the audit. The Maher Accountancy cover letter dated December 21, 2016 noted that they encountered 'no significant difficulties nor disagreements with management' involving any financial accounting, reporting, or auditing matters that could be significant to the financial statements in the audit.

Maher did report on one misstatement, increasing FY'14 State Division of Boating & Waterways (DBW) grant revenue by \$18,593 to account for DBW's 10% holdback on grant requests. Maher notes that this revenue is earned when the related reimbursable expenses are incurred, regardless of whether or not actual reimbursement occurs in the same fiscal year period. (The State previously did not credit RBRA for labor expenses, with DBW requiring a 10% match from RBRA taken out of the total grant award. In essence, of a \$100,000 grant award, the State would withhold 10%, thus RBRA would only receive reimbursement for up to \$90,000. This requirement has since changed so that Bill can now invoice up to 10% of the matching fund amount for his "yard time." Bill's labor typically reaches that amount, thus RBRA now receives the full grant amount.) Maher also directed that FY'15 grant revenue should be reduced by \$27,264 relating to billing in the prior cycle.

Finally, Maher recommended one internal control improvement regarding currency transactions. We will review this recommendation. The amount is very minor, involving one individual who insists on paying his mooring rent in cash. Bill has since developed a procedure to make a photocopy of any cash received for record-keeping purposes.

Staff is always ready for clarifications of government reporting practices such as those described above. Should your Board have any questions for me, feel free to advise the Interim Director and he will pass them on for my response.



December 21, 2016

To the Board of Directors
Richardson's Bay Regional Agency

We have audited the financial statements of the Richardson's Bay Regional Agency for the years ended June 30, 2015 and 2014. Professional standards require that we provide you with information related to our responsibility under generally accepted auditing standards, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated September 22, 2015. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by Richardson's Bay Regional Agency are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during year. We noted no transactions entered into by the governmental unit during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimate(s) affecting the financial statements were:

Management's estimate that salary and related benefits of the Harbor Administrator were allocable in the following manner: 50% to operating and security, 2% to maintenance, and 48% to administration and general.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.



Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. We detected numerous corrections to the financial reports presented to us for audit. The audited financial statements report amounts after misstatements were corrected. The following material misstatements were detected by us:

- Increase DBW grant revenue for FY14 by \$18,593 to account for 10% holdback from grant requests. This revenue is earned when the related expenses are incurred even though reimbursement may not occur in the same period. Decrease DBW grant revenue for FY15 by \$27,264. This represents the portion of the 10% holdback release that was previously recognized as revenue.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated December 21, 2016.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the governmental unit's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Recommendation for improvement in internal control

- Some of RBRA's financial activity is transacted with currency. While procedures exist to issue receipts for payments for slips and miscellaneous charges, there is no effective procedure to ensure that all currency transactions are deposited in RBRA's accounts and recorded in the accounting system. Even though there was no mishandling of these transactions detected or suspected, we recommend that your Board consider what additional control procedures, if any, should be instituted over this relatively low amount of revenue that is at risk.

Other Matters

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the governmental unit's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

This information is intended solely for the use of Board of Directors and management of Richardson's Bay Regional Agency and is not intended to be and should not be used by anyone other than these specified parties.

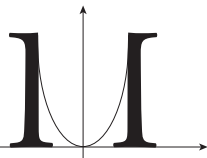
Very truly yours,

Maheer Accountancy

RICHARDSON'S BAY REGIONAL AGENCY
FINANCIAL STATEMENTS
AND
INDEPENDENT AUDITORS' REPORT
YEARS ENDED JUNE 30, 2015 AND 2014

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INDEPENDENT AUDITORS' REPORT

To the Board of Directors
Richardson's Bay Regional Agency

We have audited the accompanying financial statements of the Richardson's Bay Regional Agency (the Agency) as of and for the years ended June 30, 2015 and 2014, and the related notes to the financial statements, which collectively comprise the Agency's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes 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.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements 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 the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.



Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Agency as of June 30, 2015 and 2014, and the changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

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.

Other information

Our audit was conducted for the purpose of forming an opinion on the financial statements that collectively comprise the Agency's basic financial statements. The budgetary comparison schedules and the notes to the supplemental information are presented for purposes of additional analysis and are not a required part of the basic financial statements.

Maher Accountancy

December 21, 2016

MANAGEMENT'S DISCUSSION AND ANALYSIS

The Management's Discussion and Analysis provides an overview of the Agency's financial activities for the fiscal years ended June 30, 2015 and 2014. Please read it along with the Agency's financial statements, which begin on page 7.

FINANCIAL HIGHLIGHTS

The Agency's net position decreased by \$12,842 from 2014 to 2015. Total revenues increased \$67,814 and total expenses increased by \$97,433 in 2015, as compared to 2014.

A budgetary comparison schedule is included in the required supplemental information section. That schedule indicates that in 2015 expenses exceeded revenues by \$35,969 more than budgeted. In 2014 the opposite was true, revenues exceeded expenses by \$20,857 more than budgeted. This swing was in part due to the timing of recognition of the revenue and related expenses of a multi-year grant. Details are listed on the respective schedules.

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) government-wide 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 balance sheet presents 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 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

MANAGEMENT'S DISCUSSION AND ANALYSIS

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

	2013	2014	2015	Increase (decrease) (2015-2014)
Cash	\$ 77,220	\$ 40,819	\$ 75,823	\$ 35,004
Receivables	27,398	101,063	61,125	(39,938)
Capital assets, net	<u>27,763</u>	<u>23,685</u>	<u>46,465</u>	<u>22,780</u>
Total assets	132,381	165,567	183,413	17,846
Current liabilities	<u>18,505</u>	<u>34,913</u>	<u>65,601</u>	<u>30,688</u>
Invested in capital assets	27,763	23,685	46,465	22,780
Unrestricted	<u>86,113</u>	<u>106,969</u>	<u>71,347</u>	<u>(35,622)</u>
Total net position	<u>\$ 113,876</u>	<u>\$ 130,654</u>	<u>\$ 117,812</u>	<u>\$ (12,842)</u>

A large portion of the receivable from 2014 represents money owed to us from the State of California for our Department of Boating and Waterways (DBW) contract. We receive payments after DBW reviews our reimbursement request. For 2015, about half of the receivable relates to DBW contracts. The other half is from a grant from the Department of Fish and Wildlife to cover the cost of an Oil Spill Response Trailer. The acquisition of this trailer is represented above as the main driver of the increase in capital assets.

Changes in the Agency's revenues were as follows:

	2013	2014	2015	Increase (decrease) (2015-2014)
Operating revenues:				
State of California contracts	\$ 243,038	\$ 227,113	\$ 250,319	\$ 23,206
Slip rentals and moorings	4,800	6,800	7,131	331
Other services	<u>9,886</u>	<u>11,791</u>	<u>9,016</u>	<u>(2,775)</u>
Total operating revenues	257,724	245,704	266,466	20,762
Nonoperating revenues:				
Agency member contributions	239,473	244,673	252,014	7,341
Other contributions	-	-	9,664	9,664
Capital grant	-	-	30,000	30,000
Interest income	<u>245</u>	<u>218</u>	<u>265</u>	<u>47</u>
Total nonoperating revenues	<u>239,718</u>	<u>244,891</u>	<u>291,943</u>	<u>47,052</u>
Total revenues	<u>\$ 497,442</u>	<u>\$ 490,595</u>	<u>\$ 558,409</u>	<u>\$ 67,814</u>

MANAGEMENT'S DISCUSSION AND ANALYSIS

The Agency has experienced increased revenue from reimbursable grants each of the past three years. This is due to increases in the pace and scope of vessel demolition. As mentioned earlier, the Agency recognized revenue from a one time grant of \$30,000 from the Department of Fish and Wildlife for an Oil Spill Response Trailer. In addition to income from grants, the Agency has also been collecting more revenues from slip rentals and moorings. Agency member contributions have seen slight increases over the last few years as indicated above.

Changes in Agency's expenses and net position were as follows:

	<u>2013</u>	<u>2014</u>	<u>2015</u>	Increase (decrease) (2015-2014)
Operating expenses:				
Operating and security	\$ 308,917	\$ 322,786	\$ 422,106	\$ 99,320
Maintenance	9,994	13,691	10,259	(3,432)
Administration and general	<u>129,607</u>	<u>137,340</u>	<u>138,886</u>	<u>1,546</u>
Total expenses	448,518	473,817	571,251	97,434
Revenues	<u>497,442</u>	<u>490,595</u>	<u>558,409</u>	<u>67,814</u>
Increase in net position	<u>\$ 48,924</u>	<u>\$ 16,778</u>	<u>\$ (12,842)</u>	<u>\$ (29,620)</u>

In conjunction with increases in our State contract, salvaging expenses have increased, which accounts for most of the increase in operating and security.

THE FUTURE OF THE AGENCY

The RBRA continues to see an increase of vessels, floats and debris on its waters. To mitigate the associated issues with this increase, the RBRA is moving towards enhancing its enforcement efforts, focusing on:

- 1) Abatement of marine debris, as defined by recently adopted marine debris legislation in the State Harbors and Navigation Code, to eliminate unoccupied vessels or parts of vessels from the Bay that are unseaworthy;
- 2) An intensified vessel registration program to ensure all vessels on Richardson's Bay have current registration with DMV, which will allow member agencies and law enforcement to know who owns these vessels and how to communicate with them for safety and accountability; and
- 3) Removal of unattended mooring balls, floats and other equipment placed in the Bay, which pose navigational and safety hazards, as well as environmental risks.

It is hoped that a successful initial enhanced enforcement effort could lead to additional steps to further mitigate the problems associated with the increases on RBRA waters, and will likely come with additional costs for RBRA member agencies to consider – including additional legal costs for the agency to defend its responsibilities.

MANAGEMENT'S DISCUSSION AND ANALYSIS

The Division of Boating and Waterways (Division) continues to be a major source of funding. In 2016-17, they awarded a two year grant totaling \$198,000 which we expect to spend in its entirety. The Division has been resolutely committed to assisting RBRA with our problem as well by funneling unspent grant funds from other jurisdictions to us once we have expended our original grant amount. Their Abandoned Vessel Abatement Fund (AWAF) and the Vessel Turn-In Program (VTIP) have been merged into the Surrendered and Abandoned Vessel Exchange (SAVE), but the program remains basically unchanged.

The RBRA has doubled its water testing cycles and we expect to continue leading the charge in our capacity as water quality monitors for the area. The State Regional Water Quality Management Board has assigned the RBRA certain tasks that directly affect expenses and we expect these mandates to grow in the next few years. The transition to the Solano County lab has worked out well and has not increased costs significantly.

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 the address on our letterhead.

Respectfully submitted,

Bill Price

William Price, Harbor Administrator

FINANCIAL STATEMENTS

**RICHARDSON'S BAY REGIONAL AGENCY
STATEMENTS OF NET POSITION
YEARS ENDED JUNE 30, 2015 AND 2014**

ASSETS	2015	2014
Current assets:		
Cash and cash equivalents	\$ 75,823	\$ 40,819
Receivables from the State of California:	61,125	101,063
Total current assets	<u>136,948</u>	<u>141,882</u>
Capital assets:		
Patrol boat and trailers	105,472	78,387
Pumpout vessel and equipment	56,133	56,133
Less: accumulated depreciation	(115,140)	(110,835)
Total capital assets, net of accumulated depreciation	<u>46,465</u>	<u>23,685</u>
Total assets	<u>183,413</u>	<u>165,567</u>
 LIABILITIES		
Current liabilities:		
Accounts payable	51,624	22,078
Accrued compensated absences	<u>13,977</u>	<u>12,835</u>
Total current liabilities	<u>65,601</u>	<u>34,913</u>
 NET POSITION		
Invested in capital assets	46,465	23,685
Unrestricted	<u>71,347</u>	<u>106,969</u>
Total net position	<u>\$ 117,812</u>	<u>\$ 130,654</u>

**RICHARDSON'S BAY REGIONAL AGENCY
STATEMENTS OF REVENUES, EXPENSES
AND CHANGES IN NET POSITION
YEARS ENDED JUNE 30, 2015 AND 2014**

	2015	2014
OPERATING REVENUES:		
State of California contracts	\$ 250,319	\$ 227,113
Harbor:		
Slip rentals and moorings	7,131	6,800
Other services	<u>9,016</u>	<u>11,791</u>
Total operating revenues	266,466	245,704
OPERATING EXPENSES:		
Operating and security	422,106	322,786
Maintenance	10,259	13,691
Administration and general	<u>138,886</u>	<u>137,340</u>
Total operating expense	<u>571,251</u>	<u>473,817</u>
Income (loss) from operations	(304,785)	(228,113)
NONOPERATING REVENUES		
Agency member contributions	252,014	244,673
Other contributions	9,664	-
Capital grant	30,000	-
Interest income	<u>265</u>	<u>218</u>
Net nonoperating revenues	<u>291,943</u>	<u>244,891</u>
CHANGE IN NET POSITION	(12,842)	16,778
Net position at beginning of the year	<u>130,654</u>	<u>113,876</u>
Net position at end of the year	<u><u>\$ 117,812</u></u>	<u><u>\$ 130,654</u></u>

**RICHARDSON'S BAY REGIONAL AGENCY
STATEMENTS OF CASH FLOWS
YEARS ENDED JUNE 30, 2015 AND 2014**

	2015	2014
CASH FLOWS FROM OPERATING ACTIVITIES:		
State of California contract	\$ 320,217	\$ 153,502
Slip rentals and moorings	7,131	6,800
Other services	9,056	11,737
Operating and security	(414,198)	(302,299)
Maintenance	(10,259)	(13,691)
Administration and general	(138,886)	(137,341)
	(226,939)	(281,292)
Net cash provided by (used for) operating activities	(226,939)	(281,292)
CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES:		
Cash received from agency members	252,014	244,673
Other contributions received	9,664	-
	261,678	244,673
Net cash provided by noncapital financing activities	261,678	244,673
CASH FLOWS FROM INVESTING ACTIVITIES:		
Interest income	265	218
	35,004	(36,401)
Net increase (decrease) in cash and cash equivalents	35,004	(36,401)
Cash and cash equivalents at beginning of year	40,819	77,220
	\$ 75,823	\$ 40,819
Cash and cash equivalents at end of year	\$ 75,823	\$ 40,819

**RICHARDSON'S BAY REGIONAL AGENCY
STATEMENTS OF CASH FLOWS
YEARS ENDED JUNE 30, 2015 AND 2014
(continued)**

**RECONCILIATION OF OPERATING INCOME
(LOSS) TO NET CASH PROVIDED (USED)
BY OPERATING ACTIVITIES**

	2015	2014
Income (loss) from operations	\$ (304,785)	\$ (228,113)
Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities:		
Depreciation, an expense not requiring the use of cash	4,305	4,079
(Increase) decrease in operating accounts receivable	69,938	(73,665)
Increase (decrease) in operating accounts payable	2,461	18,342
Increase (decrease) in accrued compensated absences	1,142	(1,935)
Net cash provided by (used for) operating activities	\$ (226,939)	\$ (281,292)

**RICHARDSON'S BAY REGIONAL AGENCY
NOTES TO THE BASIC FINANCIAL STATEMENTS
YEARS ENDED JUNE 30, 2015 AND 2014**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

REPORTING ENTITY

The Richardson's Bay Regional Agency (the Agency) is a separate governmental unit organized on July 16, 1985 by a joint powers agreement and later revised by an agreement dated October 5, 2000. 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 and the cities of Sausalito, Tiburon, Mill Valley and Belvedere. The member's fund the agency as follows:

<u>Members</u>	<u>Year ended June 30, 2015</u>		<u>Year ended June 30, 2014</u>	
	<u>Funding %</u>	<u>Contribution</u>	<u>Funding %</u>	<u>Contribution</u>
County of Marin	42.5%	\$ 107,106	42.5%	\$ 103,986
Sausalito	35.0%	88,205	35.0%	85,636
Tiburon	10.0%	25,201	10.0%	24,467
Belvedere	7.5%	18,901	7.5%	18,350
Mill Valley	5.0%	12,601	5.0%	12,234
Total	<u>100.0%</u>	<u>\$ 252,014</u>	<u>100.0%</u>	<u>\$ 244,673</u>

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

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).

**RICHARDSON'S BAY REGIONAL AGENCY
NOTES TO THE BASIC FINANCIAL STATEMENTS
YEARS ENDED JUNE 30, 2015 AND 2014**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

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 – similar to 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.

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.

**RICHARDSON'S BAY REGIONAL AGENCY
NOTES TO THE BASIC FINANCIAL STATEMENTS
YEARS ENDED JUNE 30, 2015 AND 2014**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

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 nonoperating 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 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.

2. CASH

The Agency maintains all of its cash in the County of Marin pooled investment fund for the purpose of increasing interest earnings through pooled investment activities. Interest earned on 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 Cash Equivalents."

The County Pool includes both voluntary and involuntary participation from external entities. The District 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 District 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.

RICHARDSON'S BAY REGIONAL AGENCY
NOTES TO THE BASIC FINANCIAL STATEMENTS
YEARS ENDED JUNE 30, 2015 AND 2014

2. CASH (continued)

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.

FAIR VALUE MEASUREMENT

The District categorized its fair value measurements within the fair value hierarchy established by general accepted accounting principles. The hierarchy is based on the valuation inputs used to measure the fair value of the asset. Level 1 inputs are quoted prices in active markets for identical assets, Level 2 inputs are significant other observable inputs; Level 3 inputs are significant unobservable inputs. As of June 30, 2015, The District held no individual investments. All funds are invested in the Marin County Investment Pool.

In instances where inputs used to measure fair value fall into different levels in the above fair value hierarchy, fair value measurements in their entirety are categorized based on the lowest level input that is significant to the valuation. The District's assessment of the significance of particular inputs to these fair value measurements requires judgment and considers factors specific to each asset or liability.

Deposits and withdrawals from the County Pool are made on the basis of \$1 and not fair value. Accordingly, the Districts' proportionate share of investments in the County Pool at June 30, 2015 of \$75,823 is an uncategorized input not defined as a Level 1, Level 2, or Level 3 input. The Marin County Investment Pool invests substantially all its funds in U.S. government obligations and registered money market funds rated 'AAAmmf' by Fitch Ratings or equivalent.

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, 2015, the County's investment pool had a weighted average maturity of 176 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.

**RICHARDSON'S BAY REGIONAL AGENCY
 NOTES TO THE BASIC FINANCIAL STATEMENTS
 YEARS ENDED JUNE 30, 2015 AND 2014**

2. CASH (continued)

CREDIT RISK

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."

CONCENTRATION OF CREDIT RISK

The following is a summary of the concentration of credit risk by investment type as a percentage of each pool's fair value at June 30, 2015:

Investments in Investment Pool	Percent of Portfolio
Federal Agency - discount	85%
Federal Agency - coupon	13%
Money market funds	2%
	100%

CUSTODIAL CREDIT RISK

For investments and deposits held with safekeeping agents, custodial credit risk is the risk that, in the event of the failure of the counterparty, the County will not be able to recover the value of its investments or deposits that are in the possession of an outside party. At year end, the County's investment pool had no securities exposed to custodial credit risk.

LOCAL AGENCY INVESTMENT FUND

The County Treasurer's Pool maintains an investment in the State of California Local Agency Investment Fund (LAIF), managed by the State Treasurer. This fund is not registered with the Securities and Exchange Commission as an investment company, but is required to invest according to California State Code. Participants in the pool include voluntary and involuntary participants, such as special districts and school districts for which there are legal provisions regarding their investments. The Local Investment Advisor Board (Board) has oversight responsibility for LAIF. The Board consists of five members as designated by State statute.

**RICHARDSON'S BAY REGIONAL AGENCY
NOTES TO THE BASIC FINANCIAL STATEMENTS
YEARS ENDED JUNE 30, 2015 AND 2014**

3. CAPITAL ASSETS

The following is a summary of changes in capital assets:

	<u>Patrol Boat & Trailers</u>	<u>Pump out Vessel</u>	<u>Accumulated Depreciation</u>	<u>Net</u>
Balances as of June 30, 2013	\$ 78,387	\$ 56,133	\$ (106,756)	\$ 27,764
Additions	_____	_____	(4,079)	(4,079)
Balances as of June 30, 2014	78,387	56,133	(110,835)	23,685
Additions	27,085	_____	(4,305)	22,780
Balances as of June 30, 2015	<u>\$ 105,472</u>	<u>\$ 56,133</u>	<u>\$ (115,140)</u>	<u>\$ 46,465</u>

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.

SUPPLEMENTAL INFORMATION

**RICHARDSON'S BAY REGIONAL AGENCY
BUDGETARY COMPARISON SCHEDULE
YEAR ENDED JUNE 30, 2015**

	Original Budget	Final Budget	Actual	Variance Positive (Negative)
REVENUES				
Interest pooled investments	\$ 300	\$ 300	\$ 265	\$ (35)
Slip rentals	6,500	6,500	7,131	631
Other sales & services	9,000	9,000	9,016	16
Intergovernmental revenues - state	200,000	319,000	280,319	(38,681)
Intergovernmental revenues - local	252,013	262,013	261,678	(335)
Total revenues	467,813	596,813	558,409	(38,404)
EXPENDITURES				
Professional services	405,298	497,216	495,688	1,528
Insurance premiums	15,500	17,000	16,936	64
Communication	3,000	3,000	2,141	859
Rental and operating leases	30,000	35,000	35,143	(143)
Professional development	800	800	1,691	(891)
Travel and meetings	2,000	2,000	2,489	(489)
Publication	2,000	2,500	1,332	1,168
Office expenses	350	350	4,179	(3,829)
Maintenance & repair of equipment	8,000	8,000	6,702	1,298
Oil and gas	600	600	645	(45)
Equipment and machinery	-	30,000	27,085	2,915
Total expenditures	467,548	596,466	594,031	2,435
Excess of revenues over (under) expenditures	\$ 265	\$ 347	\$ (35,622)	\$ (35,969)

**RICHARDSON'S BAY REGIONAL AGENCY
BUDGETARY COMPARISON SCHEDULE
YEAR ENDED JUNE 30, 2014**

	Original and Final Budget	Actual	Variance Positive (Negative)
REVENUES			
Interest income	\$ 500	\$ 218	\$ (282)
Slip rentals	3,000	6,800	3,800
Other sales & services	9,000	11,791	2,791
Intergovernmental revenues - state	214,500	227,113	12,613
Intergovernmental revenues - local	244,673	244,673	-
Total revenues	471,673	490,595	18,922
EXPENDITURES			
Professional services	415,873	402,163	13,710
Insurance premiums	14,500	15,179	(679)
Communication	2,900	2,328	572
Rental and operating leases	28,000	34,568	(6,568)
Professional development	800	600	200
Travel and meetings	2,000	2,616	(616)
Publication	1,000	1,052	(52)
Office expenses	500	397	103
Maintenance & repair of equipment	5,500	10,187	(4,687)
Oil and Gas	600	648	(48)
Total expenditures	471,673	469,738	1,935
Excess of revenues over (under) expenditures	\$ -	\$ 20,857	\$ 20,857

**RICHARDSON'S BAY REGIONAL AGENCY
NOTES TO SUPPLEMENTARY INFORMATION
YEARS ENDED JUNE 30, 2015 AND 2014**

1. BUDGETARY BASIS OF PRESENTATION

The budget included in these financial statements represents the original budget and amendments approved by the Board of Directors. The budgetary basis is the modified accrual basis. Various reclassifications have been made to the actual amounts to conform to classifications included in the budget approved by the Board of Directors. Additionally, various reclassifications have been made to the budget amounts to conform to the Agency's accounting records.

2. BUDGET RECONCILIATION TO STATEMENT OF REVENUES AND EXPENSES

The following reconciles the actual amount listed on the budgetary comparison schedule to the statement of revenues and expenses.

	<u>2015</u>	<u>2014</u>
Excess of revenues over (under) expenditures	\$ (35,622)	\$ 20,857
Acquisition of capital assets	27,085	
Depreciation expense	<u>(4,305)</u>	<u>(4,079)</u>
Change in net position	<u>\$ (12,842)</u>	<u>\$ 16,778</u>

RICHARDSON'S BAY REGIONAL AGENCY

HARBOR ADMINISTRATOR'S REPORT

February 9, 2017

WORKING RELATIONSHIPS

- **Boating and Waterways** – Preparing the second reimbursement request for approximately \$75K for 28 vessels disposed under the 2017 SAVE Grant. At the current rate of vessel disposals, it is expected that we will use over ½ of our allocated amount in SAVE grant funds by April 30, 2017. This means that we will be able to apply for the SAVE grant again for 2017-18
- **County Counsel** – All Marine Debris forms and procedures will be added to the RBRA website
- **USCG** – meeting regularly with Abandoned Vessel Group, with reps from Sausalito PD and MSO in attendance
- **MSO and SPD** – Working very closely with MSO as they tag and tow Marine Debris vessels for disposal.

DEBRIS REMOVAL

- The storm season has been particularly active this year and has created numerous issues with loose and sinking vessels. This is the first heavy storm season in over 6 years and it is not over yet
- 27 vessels have been disposed since 12/1/16. 6 Marine Debris (processed by Sheriff); 12 MDV (processed by RBRA); 7 AWAFF (sunk, beached storm related); 3 VTIP
- 6 additional small unregistered sunken vessels were disposed of, and 4 derelict docks were taken care of as well
- 3 vessels were taken out of Bay after fees were paid to RBRA for salvage / storage
- 2 boats are currently impounded
- 5 boats stored for disposal

RAPID RESPONSE

- 4 large and 3 small vessels recovered and disposed

WATER QUALITY

- Engaged in Winter 2017 wet season testing. Tests will be finished in March, with results available by April meeting.

OTHER

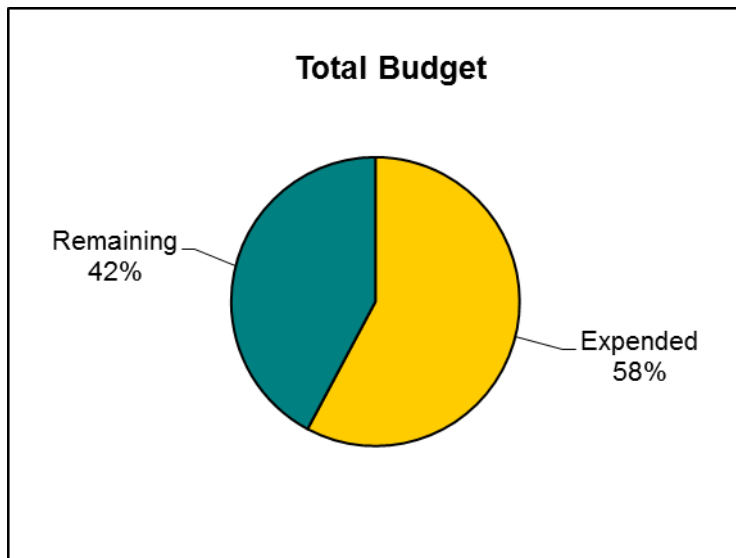
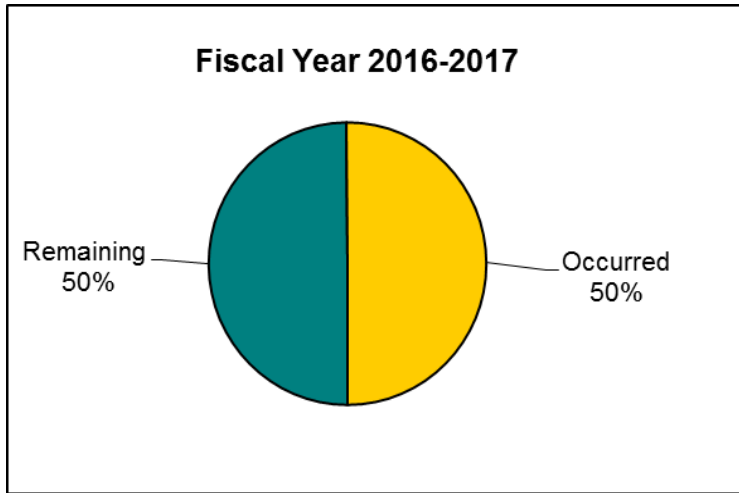
- The Corps of Engineers property is 100% clear again, with the demolition of the “Spirit of Sacramento” wrapping up at the end of January. We were still able to utilize the Corps yard for vessel disposal up to 30’ in length. All larger vessels were towed to San Rafael for disposal which increased costs. Heavy equipment costs were higher in Sausalito as well due to the need for an excavator to get around the wreck of the “Spirit.”
- In response to an inquiry from the last meeting regarding the SAVE/VTIP program, I’ve attached a letter from DBW regarding the program overall and its efficacy statewide from DBW’s perspective.

RBRA Balance Sheet
July 1-December 31, 2016

Revenues	FY 16-17 Budget	Actuals to date	Remaining
Interest Pooled Invst	\$ 300	\$ 169	\$ 131
Slip Rentals	\$ 7,000	\$ 3,840	\$ 3,160
Other Sales & Services	\$ 6,000	\$ 6,570	\$ (570)
Intergovt Revs-State	\$ 202,800	\$ 12,411	\$ 190,389
Intergovt Revs-Local	\$ 289,200	\$ 269,101	\$ 20,099
Total	\$ 505,300	\$ 292,091	\$ 213,209

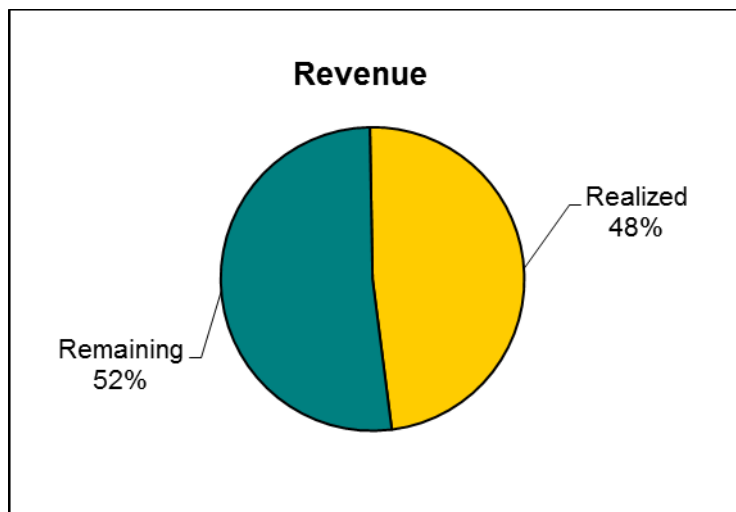
Expenditures	FY 16-17 Budget	Actuals to date	Remaining
Professional Services	\$ 481,334	\$ 216,086	\$ 265,248
Insurance Premiums	\$ 17,000	\$ 14,983	\$ 2,017
Communication	\$ 2,400	\$ 1,002	\$ 1,398
Rental & Oper Leases	\$ 32,000	\$ 24,243	\$ 7,757
Prof. Devel. Expenses	\$ 820	\$ 350	\$ 470
Travel & Meetings	\$ 2,200	\$ 568	\$ 1,632
Publication	\$ 880	\$ -	\$ 880
Office Expenses	\$ 653	\$ 134	\$ 519
Maint. & Repair-Equip	\$ 8,000	\$ 6,055	\$ 1,945
Oil and Gas	\$ 594	\$ -	\$ 594
Total	\$ 545,881	\$ 263,421	\$ 282,460

Percent of Budget and Percent of FY2016-2017 as of December 31, 2016



Expenditures vs. Adopted Budget

Expenditures	\$292,091
Adopted Budget	\$505,300



Realized Revenue vs. Budgeted Revenue

Realized Revenue	\$263,421
Budgeted Revenue	\$545,881

Richardson's Bay Regional Agency

RBRA Vessel Disposal List December 2016 - January 2017

Date	Name	Type	Amount	Condition	Location
12/2/2016	MONTE REY	30' wooden powerboat	\$5,184.48	sunk - abnd. - SAVE	MC anchorage
12/3/2016	COLUMBIA 23	23' f/g sailboat	\$2,075.80	abandoned - MDV - MSO	MC anchorage
12/6/2016	CORONADO 30	30' f/g sailboat	\$1,352.37	abandoned - MDV - MSO	MC anchorage
12/14/2016	MT. EDEN	45' wooden powerboat	\$11,372.50	abandoned - MDV - MSO	MC anchorage
12/17/2016	MC SKI	16' f/g runabout	\$250.00	sunk - abnd. - MDV	MC anchorage
12/21/2016	REINELL SV	22' f/g powerboat	\$250.00	sunk - abnd. - MDV	Aban - Corps dock
12/22/2016	PURSUIT	24' f/g sailboat	\$1,185.00	abandoned - MDV - MSO	Aban - Corps dock
12/22/2016	BON BON	30' f/g sailboat	\$1,370.00	abandoned - MDV	Sausalito harbor
12/22/2016	ETUDE	24' f/g sailboat	\$1,215.00	abandoned - SAVE	Sausalito anchorage
12/23/2016	MR. CLEAN	40' wooden powerboat	\$11,635.00	sunk - abnd. - SAVE	MC anchorage
12/27/2016	TAURUS	16' f/g runabout	\$250.00	sunk - abnd. - SAVE	Sausalito beach
12/27/2016	ARUBA	42' wooden powerboat	\$10,785.00	abandoned - SAVE	MC anchorage
12/29/2016	FOLKBOAT	24' wooden sailboat	\$1,985.00	abandoned - SAVE	MC anchorage
12/29/2016	WOODY C	22' f/g sailboat	\$950.00	sunk - abnd. - SAVE	Sausalito anchorage
12/29/2016	L DORY	18' wooden dory	\$500.00	abandoned - MDV	MC anchorage
12/29/2016	SWIZZLE	28' f/g sailboat	\$921.60	abandoned - SAVE	Belve. - Tiburon beach
1/4/2016	MOTOR DOCK	25' dock with debris	\$130.80	abandoned - MDV	Belvedere
1/10/2016	MART FERRO	55' ferro sailboat	\$9,680.00	abandoned - MDV - MSO	Sausalito anchorage
1/10/2016	REUBEN SKIFF	14' f/g skiff	\$200.00	abandoned - MDV	MC anchorage
1/11/2016	BMG BAYLINER	32' f/g powerboat w/ hou:	\$2,235.00	abandoned - SAVE	Sausalito anchorage
1/12/2016	LARSON - CRANE	18' f/g powerboat	\$500.00	abandoned - MDV	MC anchorage
1/12/2016	PERRY'S	29' f/g powerboat	\$2,535.00	abandoned - SAVE	MC anchorage
1/12/2016	WEST WIND	30' wooden powerboat	\$3,835.00	abandoned - MDV - MSO	MC anchorage
1/16/2016	DAWN	22' f/g powerboat	\$1,750.00	abandoned - MDV	MC anchorage
1/16/2016	NO WORRIES	24' f/g powerboat	\$2,000.00	abandoned - MDV	MC anchorage
		26 vessels total	\$74,147.55		
VTIP					
12/10/2016	La Sonadora	30' f/g sailboat	\$800.00	VTIP	Sausalito harbor
12/29/2016	Turbocraft	18' f/g boat and trailer	\$100.00	VTIP	Sausalito
2/4/2017	Beowulf	27' f/g sailboat	\$500.00	VTIP	Sausalito harbor
			\$1,400.00		

CALIFORNIA HARBORS & NAVIGATION SECTIONS 550, 551, 552.

Article 3. Marine Debris

550.

For purposes of this article, the following terms have the following meanings:

(a) A "vessel" includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation by water.

(b) "Marine debris" is a vessel or part of a vessel, including a derelict, wreck, hulk, or part of any ship or other watercraft or dilapidated vessel, that is unseaworthy and not reasonably fit or capable of being made fit to be used as a means of transportation by water.

551.

(a) (1) Notwithstanding any other law, marine debris that is floating, sunk, partially sunk, or beached in or on a public waterway, public beach, or on state tidelands or submerged lands may be removed and destroyed, or otherwise disposed of, by any state, county, city, or other public agency having jurisdiction over its location or having authority to remove marine debris or solid waste, subject to the following conditions:

(A) The object meets the definition of marine debris in subdivision (b) of Section 550 and has no value or a value that does not exceed the cost of removal and disposal.

(B) If there is no discernible registration, hull identification number, or other identification insignia, a peace officer or authorized public employee securely attaches to the marine debris a notice stating that the marine debris shall be removed by the public agency if not claimed or removed within 10 days.

(C) If there is discernible registration, hull identification number, or other identification insignia, a notice is attached to the marine debris as described in subparagraph (B), and sent to the owner of the marine debris, if known, at the owner's address of record with the Department of Motor Vehicles, by certified or first-class mail.

(D) The marine debris remains in place for 10 days from the date of attaching the notice to the marine debris or from the date the notice letter was sent, whichever is later, before being removed.

(2) (A) The notice attached to the marine debris shall state the name, address, and telephone number of the public agency providing the notice.

(B) A notice sent to the owner shall contain the information specified in subparagraph (A), and further state that the marine debris will be removed and disposed of within 10 days if not claimed, and that the marine debris may be claimed and recovered upon the payment of the public agency's costs.

(b) Notwithstanding subdivision (a), marine debris that constitutes a public nuisance or a danger to navigation, health, safety, or the environment may be removed and disposed of immediately, unless the marine debris is whole or not demolished during removal, in which case it shall be maintained or stored for 10 days to permit notification of the owner. If the owner of the marine debris is not identifiable, the marine debris may be immediately destroyed or otherwise disposed of.

(c) Costs incurred by a public agency for removal and disposal of marine debris may be recovered from an owner or any person or entity who placed the marine debris in or on or caused the marine debris to be in or on the public waterway, public beach, or state tidelands or submerged lands through any appropriate legal action in the courts of this state or by administrative action.

552.

On or before January 1, 2017, the State Lands Commission shall adopt, at a public meeting and after consultation with interested state and local agencies, best management practices for salvage of marine debris. These best management practices shall be published by the State Lands Commission on its Internet Web site. The State Lands Commission may amend the best management practices from time to time by the same process, as the State Lands Commission deems necessary.



December 14, 2016

Mr. Bill Price
Harbor Administrator
Richardson's Bay Regional Agency
3501 Civic Center Drive, Room 308
San Rafael, CA 94903

Re: Abandoned Watercraft Abatement Fund (AWAF)
Vessel Turn-In Program (VTIP)
Surrendered and Abandoned Vessel Exchange (SAVE)

Dear Mr. Price:

This letter serves to confirm your continued participation in the VTIP as provided through the award of the FY 16/17 SAVE grant to your agency, and as a requirement of future SAVE awards.

Beginning in 1999, your agency received seven (7) AWAFF grants from the Division of Boating and Waterways. In 2010, the VTIP was created, and your agency continued to receive awards for both the AWAFF and VTIP. A total of sixteen (16) grants have been awarded to RBRA. Except for the first year, 1999, your agency utilized almost 100% of every grant, and was/is considered by DBW as an excellent grant manager.

To date, since 1999, a total of \$1,511,493 has been awarded to RBRA, \$1,225,505 spent, and over 500 vessels have been removed. Of this number, 81 issues have been surrendered through the VTIP, \$90k has been spent, and each VTIP averaged \$1100.00 each. This is actually below the average VTIP cost of removal!* Compare this average to the cost of your AWAFF's reported: a total of \$1,135,505 spent, 461 AWAFF issues removed, at an average cost of \$2563 each. The value of the VTIP to your agency—and California—is evidenced through the facts of these figures.

To our knowledge, there is no reason why this grant assistance should not continue. Although your area is an apparent magnet for anchor-outs and those who would use boats and barges for storage of various detritus, DBW is encouraged by recent changes such as the SAVE participation of the Sausalito Police Department and stronger enforcement assistance from the Marine County Sheriff's Department. These coordinated enforcement efforts are necessary to bring the anchor-out boating community into compliance. In addition, updating, strengthening and coordinating mooring ordinances of all three agencies would be a big step in mitigating future anchor-outs.

As you know, in 2014, the AWAFF and VTIP grants were combined into a single grant, called the "SAVE." This allowed agencies to apply for and manage one grant instead of two, and to use the funds for either type of issue. Another benefit of the new SAVE was the opportunity to grow the VTIP throughout California by requiring all grantees to use the VTIP as a pro-active approach, and thus making it more accessible to the recreational boating community statewide.

Mr. Bill Price
December 14, 2016

Page 2

After two years, DBW is seeing the successful results of this effort through reports and claims from our SAVE agencies. The following is the "clinical" data:

Fiscal Year	AWAF Issues Removed	VTIP Issues Removed
FY 13/14	189	88
FY 14/15 (1 st year for the SAVE)	171	227
FY 15/16	116	118

As you can see, once the VTIP was provided by all SAVE agencies in 2014, the number of surrendered vessels increased substantially. Many grants for FY 14/15 and FY 15/16 are still open, and DBW anticipates the VTIP numbers to continue to grow and exceed those of the AWAF.

*In addition, our records show the average cost of an AWAF vessel statewide (since 2010) to be \$4400, while a VTIP vessel on average is \$1800.

The value of the VTIP is further supported by the reports and statements of many SAVE participants. I am attaching some of these for your perusal. To date, DBW has not received one comment from any of our participating agencies that the VTIP is not working for them as intended.

Some of the letters I am attaching are from 2013. These are a few letters of VTIP support that were received by DBW (unsolicited) when the VTIP was a pilot program and scheduled to sunset on 1/1/2014. The overwhelming support of the program resulted in Senate Bill 122 removing the sunset date, thus making the VTIP a permanent state mandated grant program.

As a participating agency of the SAVE, the agency is required to promote and use the VTIP, and is encouraged to offer the VTIP as a first option to recreational boaters who may be considered threats of abandoning their vessels when and where possible. Tools that have been created for this effort include a flyer/poster called "Is Your Boat an Anchor?" and the full color glossy VTIP brochure that is available free of charge that can be used for distribution. Also, DBW's website maintains a list of all participating agencies for the public's use. Any report to DBW of non-participation in the VTIP of a SAVE agency results in possible reconsideration or liquidation of that agency's SAVE grant.

RBRA and DBW have been strong partners in the effort to keep abandoned vessels reduced in Richardson's Bay and trust that this alliance will continue. In spite of the constant deluge of anchor-outs in your AOR due to factors beyond your control, your personal efforts to remove AWAF and VTIP issues have been very admirable. You have been very helpful in the development of these programs and your expertise has been essential to our continued improvement of the SAVE.

Mr. Bill Price
December 14, 2016

Page 3

I repeat this statement often, but it rings true every time: The SAVE is only as strong as our partners, and you and RBRA have been one of the strongest.

DBW is no doubt concerned about the growing problem of abandoned and derelict vessels in Richardson's Bay, but believe the tide is turning thanks to recent changes as mentioned earlier.

Thank you for your efforts and keep up the excellent work.

Sincerely,

A handwritten signature in blue ink, appearing to read "Susan Sykes", written in a cursive style.

Susan Sykes
Derelict Vessel Programs Analyst

Enclosures



San Mateo County Harbor District

Board of Harbor Commissioners

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Virginia Chang Kiraly, Vice-President
Robert Bernardo, Secretary
Pietro Parravano, Treasurer
Sabrina Brennan, Commissioner

Steve McGrath, General Manager
Steven D. Miller, District Counsel

December 13, 2016

Division of Boating and Waterways
One Capitol Mall, Suite 500
Sacramento, CA 95814

RE: Vessel Turn In Program

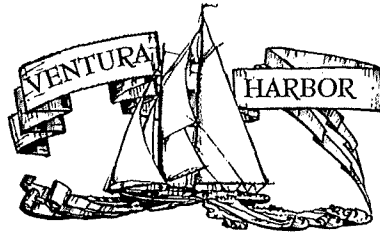
To Whom It May Concern,

The San Mateo County Harbor District operates two large marina facilities, Pillar Point Harbor and Oyster Point Marina. The Division of Boating and Waterways Vessel Turn In Program has benefitted us greatly by allowing vessel owners an alternative to abandoning their vessels when they are financially unable to continue maintaining them properly.

On numerous occasions, vessel owners at both of our locations, who have experienced financial hardship and have not had the resources to properly maintain their vessels, have taken advantage of the VTIP Program. The VTIP Program has allowed the financially distressed vessel owners the ability to voluntarily relinquish ownership of their vessel. VTIP Grant monies have then allowed the SMCHD to properly dispose of the derelict vessel in an expedient manner. This has been a much better alternative than the vessel owner abandoning the vessel in the marina or at anchor, as had occurred in the past.

Sincerely,

John Moren
Director of Operations
San Mateo County Harbor District



BOARD OF PORT COMMISSIONERS

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Gregory Carson, Commissioner
Nikos Valance, Commissioner
Oscar Peña, General Manager

December 13, 2016

To Whom This May Concern,

The Ventura Port District is an independent special harbor district located in the City of Ventura. As the Harbormaster I am charged with maintaining a safe and secure harbor. Abandoned boats on land and in the water affect our ability to maintain the safe and secure harbor. Previously, these boats were visual blight and contributed to pollution within our harbor. They would also attract criminal elements looking for refuge or to steal whatever items had intrinsic value. Our small staff would spend excessive amounts of time and energy to mitigate these issues and ultimately destroy the vessels.

Over the years our Harbor has participated in the Vessel Turn In Program (VTIP) & Surrendered and Abandoned Vessel Exchange (SAVE) with great success. These programs administered by the exceptionally talented Susan Sykes became the solution to our regions issues. The ability to more efficiently remove abandoned boats continues to improve and what would previously take months to accomplish can now be done in much shorter time. The financial assistance provided by these programs grants has also opened opportunities to remove problem boats before they are abandoned at a much lower cost. Under the VTIP program I was able to destroy a sailboat and trailer at a local recycling center for \$55.60 and it consumed approximately 2 hours of my time. This same boat abandoned several years ago would have costs several thousand dollars after the lien process, storage, staff hourly rates, and finally vessel disposal.

We are thankful for these programs and support increasing funding to each as we see the demands exceed the funds available. I routinely receive calls from other counties looking for assistance with abandoned boats under this program. I cannot assist them directly and have to help indirectly by explaining how they can do it independently within the law at the lowest cost out of their pocket. Increasing program funding could allow for more agencies to dedicate staff and reach more abandoned boats throughout the state.

Respectfully,

John Higgins
Harbormaster

Sykes, Susan@Parks

From: Warren, Marc <mwarren@sacsheriff.com>
Sent: Monday, December 12, 2016 4:55 PM
To: Sykes, Susan@Parks
Subject: RE: VTIP support statement

Good afternoon Susy,

The Sacramento County Sheriff's Department believes the Vessel Turn-In Program (VTIP) is a very valuable program. VTIP has prevented vessels from being illegally dumped into our local rivers and sloughs. Under VTIP, we have been able to remove vessels much quicker by allowing the vessel owner to sign the vessel over to the Sheriff's Department. This in turn saves us higher salvage costs if the vessel were allowed to sink before removal. We have also been able to remove more VTIP vessels by taking these vessels directly to the landfill versus storing the vessel for 15 days before being able to destroy them.

An example I have is our agency was contacted by a Sacramento County resident who found this program on the DBW website. When I contacted the vessel owner, he advised prior to finding this program on the DBW website, people were telling him to drill a hole in the vessel's hull and drop it off at a launch ramp and let the vessel sink. Thankfully, the vessel owner had a good conscience and contacted the Sheriff's Department for proper removal and destruction under VTIP.

To date, the Sacramento County Sheriff's Department has removed 14 vessels for SAVE Grant FY 2016/17. Of the 14 vessels, 6 vessels were VTIP vessel. The remaining 8 vessels were deemed marine debris. Additionally, we have another 5 VTIP vessels which we plan on removing in the next few weeks.

Very respectfully,
Marc

Deputy Marc Warren #1253
Sacramento County Sheriff's Department
Marine Enforcement Detail
7000 65th Street
Sacramento, CA. 95823
Office (916) 875-0493
Fax (916) 876-7549

Sykes, Susan@Parks

From: Warren, Jason <JWarren@pd.cityofsacramento.org>
Sent: Monday, December 12, 2016 9:43 AM
To: Sykes, Susan@Parks
Cc: Cook, Todd
Subject: VTIP support statement

Categories: Important or Urgent

Dear Susan Sykes,

The City of Sacramento has greatly benefited from the vessel turn in program (VTIP). Our local waterways have been cleared of the hazardous chemicals that pose an imminent threat to people enjoying the river and wildlife. Before we started to participate in your program we were unable to remove vessels because of the financial burden. We currently have a funded program that allows us to remove boats before they sink and to remove sunken vessels when they occur. Without this program our waterway would be littered with vessels. You and your office have made this program a success.

Thank you,

Jason Warren
Sacramento Police Marine Unit

Todd Cook
Sacramento Police Marine Unit

Sykes, Susan@Parks

From: Otto, Michael A. <MAOtto@SolanoCounty.com>
Sent: Saturday, December 10, 2016 10:33 AM
To: Sykes, Susan@Parks
Cc: Dudley, Raymond G.
Subject: VTIP

Categories: Important or Urgent

Plainly stated, "The VTIP program is an invaluable and indispensable program". For a lot of people, the full potential of cost savings and environmental benefits of the VTIP program maybe slightly obscure, but for those of us who live, work and play on the water, the potential is crystal clear. The simple fact that a boat may be prevented from being abandoned and dumped into the waters of the State speak for itself, but with the added benefit of possibly saving government agencies thousands of tax payers dollars in removing sunken boats that could have been prevented; is priceless.

Sykes, Susan@Parks

From: Sykes, Susan@Parks
Sent: Monday, August 08, 2016 11:09 AM
To: 'Kronman, Mick'
Subject: RE: SAVE program

Hi Mick,

I am very grateful for your support, and thank you as well for making the SAVE as strong as it is.

Susy Sykes



(916) 327-1825

From: Kronman, Mick [<mailto:MKronman@SantaBarbaraCA.gov>]
Sent: Monday, August 08, 2016 11:00 AM
To: Sykes, Susan@Parks; McCullough, Stephen
Subject: SAVE program
Importance: High

Hi, Susy:

Good speaking with you this morning. I'm writing to emphasize that the SAVE grant program has been a terrific success here in Santa Barbara, especially as it relates to surrendered vessels. The number of surrendered vessels, many of which would end up as neglected anchor-outs in our (free) East Beach anchorage, has increased dramatically over the past two years. As a direct result, the number of anchor-outs has dwindled to the lowest levels I've seen in my 16 years here as Harbor Operations Manager. That, in turn, reduces the number of groundings on East Beach in winter storms, each of which creates environmental and public-safety hazards.

Thanks again for administering such a successful program. We look forward to continued participation with SAVE grants as they become available.

Sincerely,

Mick Kronman

Harbor Operations Manager

City of Santa Barbara

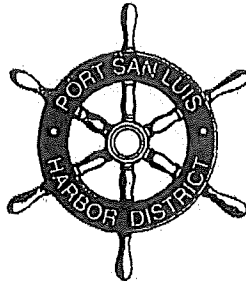
805-897-2587

mkronman@santabarbaraca.gov

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STEPHEN A. McGRATH *Harbor Manager*
THOMAS D. GREEN *Legal Counsel*
PHILLIP J. SEXTON, CPA *Treasurer*

February 7, 2013

Senator Ted Lieu
State Capitol, Room 4061
Sacramento, CA 95814

RE: Support of SB 122

Honorable Senator Lieu:

As a local public agency having jurisdiction over navigable waterways in California, it is the District's goal to provide safe, environmentally sound and navigable waterways in and around the San Luis Obispo Bay. With the support and grant monies received from the Department of Boating and Waterways, the District has been successful in removing many derelict vessels before they became a hazard. Without the support of the Vessel Turn In Program (VTIP) grant funds, remediation of such vessels may have been more difficult and possibly posed an extreme hardship on the District.

I would like to express my support for the SB 122 legislation you have introduced, extending the state's Vessel Turn-In Program (VTIP), currently set to expire at the end of this year. The support of the VTIP program has been invaluable to our Harbor, as well as many other harbors in California.

In conclusion, VTIP remains a program that successfully and efficiently helps harbors in being proactive in remediation of derelict vessels before they sink or wash ashore, preventing environmental damage, public safety hazards and exorbitant salvage costs.

Thank you for your time and consideration of my comments supporting SB 122.

Sincerely,

Stephen McGrath
Harbor Manager



County of Los Angeles
Sheriff's Department Headquarters

4700 Ramona Boulevard
Monterey Park, California 91754-2169



February 5, 2013

Susan Sykes
CA Department of Boating and Waterways
2000 Evergreen Street, Ste 100
Sacramento, California 95815

Dear Ms. Sykes:

My staff and I wish to thank you and the California Department of Boating and Waterways for your continued support of our station and our Abandoned Vessel Abatement Program. Marina del Rey is the largest man-made small craft harbor in the United States, with over 4,000 vessels moored in our anchorages. Owing to the size of our marina, the Los Angeles County Sheriff's Department is continually confronted with the issue of abating abandoned boats. The Abandoned Watercraft Abatement Fund (AWAF) has been essential to our effort combating this on-going problem. The addition of the Vessel Turn-In Program (VTIP) has enabled us to take preemptive action to address the problem. The VTIP grant has saved us storage fees, processing time and allows us to reach out to our boating community with a positive solution to unwanted vessels. We hope both the AWAF and VTIP programs continue as they greatly assist us in our efforts to maintain a safe boating environment.

We truly appreciate the support and cooperation your agency has provided and look forward to a continued cooperative relationship as we endeavor to make our waterways safe for California boaters.

Sincerely

LEROY D. BACA, SHERIFF

Reginald D. Gautt, Captain
Unit Commander
Marina del Rey Station

A Tradition of Service Since 1859



CONTRA COSTA COUNTY OFFICE OF THE SHERIFF
DAVID O. LIVINGSTON
SHERIFF - CORONER

January 11, 2013

*Susan Sykes
Department of Boating and Waterways
2000 Evergreen Avenue Suite 100
Sacramento, CA 95815*

Dear Susan:

I wanted to take this opportunity to inform you of the huge success of the Vessel Turn In Program in Contra Costa County. Since its inception in 2010, we have successfully removed more than forty vessels. This freed up funds to be used for AWAFF and more vessels were successfully removed under that program.

I have received positive feedback from each person that has accepted assistance with removal of their vessel. Citizens who had no means of removal were able to dispose of their vessel at not cost to themselves. Harbormasters have also voiced their appreciation of the VTIP program and are more able to keep their marinas free of derelict vessels.

Without the VTIP program in place, the process for vessel removal is more tedious and much more costly. The risk of derelict vessels being set adrift or sinking greatly increases. These derelicts essentially become garbage that litters the environment. The availability of VTIP funds helps keep the California Delta and surrounding waterways clean and available for future generations to enjoy.

It is my recommendation that the Vessel Turn In Program continues to be funded so we can continue to offer such great assistance to the citizens of Contra Costa County.

Sincerely,

David O. Livingston, Sheriff

RICHARDSON'S BAY REGIONAL AGENCY

MEMORANDUM

February 9, 2017

To: RBRA Board

From: Dan Eilerman, Asst. County Administrator (& Interim RBRA Executive Director)

Board Actions Requested: Accept report.

BACKGROUND: At your Board meeting of December 1, 2016, the Board directed staff to proceed with an enhanced enforcement program comprised of the following elements:

1. **Abatement of marine debris**, as defined by the recently adopted marine debris legislation in the State Harbors and Navigation Code, to eliminate unoccupied vessels or parts of vessels from the Bay that are unseaworthy;
2. **An intensified vessel registration program** to ensure all vessels on Richardson's Bay have current registration with DMV, which will allow member agencies and law enforcement to know who owns these vessels and how to communicate with them for safety and accountability; and
3. **Removal of unattended mooring balls, floats and other equipment** placed in the Bay, which pose navigational and safety hazards, as well as environmental risks.

In addition, the Board directed staff to work with Member City/Town Managers to identify a part-time RBRA Executive Director for future Board consideration.

This evening's staff report is intended to serve as an update regarding this year's baseline abatement and other activity, as well as an update regarding this year's enhanced enforcement program. No formal Board actions are requested at this time, save accepting this evening's staff report and providing any direction to staff.

Your Board will also recall that a Community Engagement Subcommittee (Members Sears and Wickham) was formed as an outcome of the December 1 meeting. Members Sears and Wickham and a representative of the anchor-out community planned to meet in early January, but that first meeting was cancelled due to unforeseen circumstances. It has been rescheduled for February 17 and is expected to be the beginning of a more collaborative approach to working with the marine community to improve conditions on Richardson's Bay.

Enhanced Enforcement Program Update

Requiring a mid-year budget enhancement of \$20,000, which your Board unanimously approved at your last meeting in December, the joint enhanced enforcement program allows the Marin County Sheriff, Sausalito Police Department and the RBRA Harbor Administrator to work together in a coordinated fashion to focus on unoccupied vessels, unattended moorings, floats and other debris, and intensified efforts to ensure all vessels are registered as required by State law. Efforts have been going well. RBRA Counsel had already researched these three initial enhanced enforcement efforts and concluded that they were consistent with current regulations and statute.

We estimated in December that these actions would eliminate approximately 30 unoccupied vessels or parts of vessels from the Bay that are unseaworthy (over and above an estimated 50-75 boats abated with SAVE grant funding through June 30). We also estimated identification and removal of approximately 60 unattended mooring balls or floats by June 30. At the time of your Board's last meeting of December 1, 13 marine debris vessels had already been abated (relative to our goal of 30); 19 unattended mooring balls had been removed (relative to our goal of 60); and 14 citations had been issued to vessels for being unregistered.

Abatement Metrics through January 31, 2017

Marine Debris

To date (through January 31, 2017), the enhanced enforcement effort has resulted in 16 unoccupied vessels having been qualified as marine debris by the Marin County Sheriff's Office (MCSO) and disposed of by the RBRA with RBRA Surrendered and Abandoned Vessel Exchange (SAVE) grant funds. This is relative to our goal of 30 marine debris vessels by June 30. Numerous other vessels were identified that qualified as marine debris but were instead disposed of separately; these relate largely to a number of January storm-related incidents. Of note, 15 registration notices or violations have been issued by the Marin County Sheriff's Office this fiscal year.

In addition, the Harbor Administrator has identified and disposed of 14 unoccupied marine debris vessels, resulting in a total of 30 unoccupied marine debris vessels disposed since July 1, 2016.

Unattended Moorings and Floats

A total of 28 unattended mooring balls and floats have been removed by Sausalito PD (relative to our goal of 60 by June 30), including 9 having been removed in a January 31 operation. Initial efforts that resulted in 19 floats having been removed as of December 1 may have led others since to pull additional floats from the waters. In addition, the Sheriff and RBRA have been pulling floats and anchors along with vessels they've identified as either marine debris or that were subsequently destroyed via summary abatement procedures. As a result, it is possible that unattended mooring balls and floats may be relatively under-reported. Finally, SPD issued 3 citations since your Board's last meeting (in addition to MCSO's 15 total citations).

Baseline RBRA Activities

In addition to the above efforts, 21 vessels have been abated with this year's \$199,800 SAVE state grant program through the State Division of Boating and Waterways since July 1, 2016. There have also been 14 VTIP vessels since July 1st. With 30 marine debris vessels, 21 baseline SAVE vessels, and 14 VTIP vessels, a total of 65 vessels have been abated and disposed of year-to-date.

The Harbor Administrator has been extremely busy this year with abatements, coordination with MCSO and SPD regarding the enhanced enforcement initiative, and dealing with an unusually strong and impactful winter storm season. More recently, efforts have been complicated by Army Corps of Engineers work to demolish an 85' steel commercial vessel on its ramp, which is the same ramp utilized by the RBRA for vessel destruction. Nevertheless, with a total of 65 vessels having been abated YTD, we anticipate the RBRA is on pace to abate a total of at least 100 vessels in FY 2016-17.

Anticipating the possibility that Law Enforcement could prove successful in completing its enhanced enforcement program target metrics before June 30, we will work to discuss with the Law Enforcement

and City/Town Manager working groups what next steps your Board may wish to consider. In any case, we would continue with the enhanced enforcement effort as the budget allows in the current year.

Notice of Intent to Withdraw received from Sausalito

In a letter dated December 19, 2016, the City of Sausalito submitted a notice of intent to withdraw from the RBRA effective July 1, 2017. The attached letter also stated that “The City remains hopeful that the issues which have led up to this notice of intent can be resolved in a manner which would allow Sausalito to remain part of the RBRA.”

Given Sausalito’s notice, received in accordance with Section 24 of the RBRA Joint Exercise of Powers Agreement, staff will plan to return to your Board’s next meeting April 13, 2017 with a proposed FY 2017-18 budget option including Sausalito as a continued member of the RBRA and also one not including Sausalito as a continued member. Staff also suggests reserving May 11, 2017 on your calendars for a subsequent Board meeting to consider FY 2017-18 budget adoption (if necessary).

Staff will in the meantime work with the Law Enforcement and City/Town Manager working groups in February and March to discuss budget options, review the enhanced enforcement program, and discuss potential next steps with the goal of bringing FY 2017-18 budget options to your Board in April for consideration. A working group meeting has been scheduled for February 15.

Executive Director

Given Sausalito’s Notice of Intent to Withdraw from the agency effective July 1, staff intends to further engage on the issue of a permanent, part-time executive director before your Board’s next meeting of April 13. It is anticipated that we may have more information and relative certainty by this time regarding the likely future of the agency, including the central issue of agency membership. Staff will, in the meantime, work with the City/Town Managers and the Law Enforcement Working Groups for continued input and advice.

Other items of note

On November 30, 2016, your Board may recall that a letter was received from the law firm of Cox Wootton Lerner Griffin & Hansen LLP, on behalf of Schoonmaker Point Marina, regarding permanent anchoring and mooring on RBRA jurisdictional waters. On behalf of the marina, the letter cited concerns with the current state of anchor outs on the bay and impacts to the marina.

After review of your Board’s legal subcommittee, staff issued a response December 21, 2016 to ensure that Schoonmaker Point Marina was aware of the RBRA’s efforts in recent months, in particular its enhanced enforcement program, which represent a focused effort to address many of the concerns addressed in its letter. The attached letter also clarified that we anticipated these steps represented the first of many steps toward mitigating these issues. We should also note that your Harbor Administrator immediately contacted a representative of Schoonmaker Point Marina upon receipt of the November 30 letter to relay details of the enhanced enforcement program.

FINANCIAL IMPACT: None.

ALTERNATIVE POLICY OPTION: Provide alternative direction to staff.

(Attachments)



CITY OF SAUSALITO

420 Litho Street • Sausalito, CA 94965
Telephone: (415) 289-4100
www.ci.sausalito.ca.us

December 19, 2016

Richardson's Bay Regional Agency
Dan Eilerman, Interim Executive Director
County of Marin
County Administrator's Office
3501 Civic Center Drive, Suite 325
San Rafael, CA 94903

Subject: *City of Sausalito's Notice of Intent to Withdraw*

Dear Mr. Eilerman:

In accordance with Section 24 of the Richardson Bay Joint Exercise of Powers Agreement dated October 5, 2000 the City of Sausalito (the "City") is hereby notifying you of its intent to withdraw from the Richardson's Bay Regional Authority ("RBRA") effective July 1, 2017.

The City remains hopeful that the issues which have led up to this notice of intent can be resolved in a manner which would allow Sausalito to remain part of the RBRA.

Sincerely,
City of Sausalito

Adam W. Politzer
City Manager

cc: Erin Tollini, RBRA Chair
Marty Winter, RBRA Vice Chair
Kathryn Sears, RBRA Board Member
Jim Wickham, RBRA Board Member
Matthew Hymel, County Administrator
Jim McCann, Mill Valley City Manager
Greg Chanis, Tiburon Town Manager
Mary Neilan, Belvedere City Manager

FAX NUMBERS:

Administration: (415) 289-4167
Recreation: (415) 289-4189

Community Development: (415) 339-2256

Library: (415) 331-7943
Public Works: (415) 289-4138

RICHARDSON BAY REGIONAL AGENCY

December 21, 2016

Terence S. Cox
Cox Wootton Lerner
Griffin & Hansen LLP
900 Front St., Suite 350
San Francisco, CA 94111

**SUBJECT: Response Regarding "Formal Notice" (Letter of November 30, 2016) to
Richardson Bay Regional Agency Board Members**

Dear Mr. Cox,

I write to acknowledge receipt of your letter of November 30, 2016 to Richardson Bay Regional Agency (RBRA) Board Members regarding permanent anchoring and mooring on RBRA jurisdictional waters.

I wanted to make you aware of efforts the RBRA has taken, particularly in recent months, regarding the increased census of vessels, floats and debris on the water. At a public meeting of the RBRA at Sausalito City Council Chambers on December 1, 2016, the Board of Directors formally approved staff recommendations to implement an Enhanced Enforcement Initiative, as well as to direct staff to identify a permanent, part-time executive director to guide the agency going forward and to enhance operational focus, accountability, oversight and communication. The Enhanced Enforcement Initiative had actually started in October with a noticing effort and a community meeting, including commencement of initial enhanced enforcement efforts. Let me briefly describe each action.

Enhanced Enforcement Program

In a \$122,400 effort funded with 'in-kind' contributions from the Marin County Sheriff's Office (MCSO) and Sausalito Police Department (SPD), existing grants to both RBRA and SPD from the State Department of Boating and Waterways, and an additional budget enhancement of \$20,000 unanimously approved by RBRA member agencies December 1, 2016, the RBRA Board implemented an enhanced enforcement effort that will allow the agency to begin working together in a coordinated fashion to focus on unoccupied vessels, unattended moorings, floats and other debris, and intensified efforts to ensure all vessels are registered as required by State law. This effort had already begun in October, including noticing efforts, a community meeting, and initial implementation of the initiatives, and the Board unanimously ratified the efforts at its December meeting. This effort includes several objectives.

The first objective is to abate marine debris as defined by the recently adopted marine debris legislation in the State Harbors and Navigation Code. It allows for the removal and destruction of a vessel or other debris that, among other requirements, is unseaworthy. The new State law provides an expedited process for this abatement. We are estimating that these actions would eliminate approximately 30 unoccupied vessels, parts of vessels and other debris from the Bay that are unseaworthy. This would be in addition to an estimated 50-75 boats abated with existing

state abatement grant funding through June, 2017 and potentially additional vessels with any funds remaining from Sausalito's new state abatement grant.

Second, all vessels in California are required to be either federally documented or registered through the State Department of Motor Vehicles. Many vessels on Richardson's Bay are out of registration or documentation for more than a year. RBRA member agencies and law enforcement need to know who owns these vessels and how to communicate with them for safety and accountability. RBRA and local law enforcement began a registration program last year and have intensified an ongoing effort to make certain that vessels on Richardson's Bay have current registration.

The third objective is to remove approximately 60 unattended mooring balls, floats and other equipment. These devices have been illegally placed in the Bay and pose navigational and safety hazards, as well as environmental risks.

As of December 1, 13 vessels had already been abated utilizing the new marine debris statute, and 19 unattended mooring balls or floats had been removed. In addition, 14 citations were written for improper or missing registration, and an additional 18 vessels were abated with RBRA state grant funds. This enhanced enforcement effort will be the focus of the agency's operations for the balance of the current fiscal year. We will be providing the RBRA Board an update at its next meeting February 9, 2017.

Executive Director

A permanent, part-time and dedicated executive director will report to the RBRA board, supervise the Harbor Administrator and coordinate with the various agencies involved with Richardson's Bay. The Executive Director would also engage the MCSO, SPD and possibly the Coast Guard in discussions of protocols for assisting the Harbor Administrator with the above enforcement activities. Finally, an Executive Director would likely convene an RBRA working group to meet every two weeks with staff, legal counsel, representatives of the member agencies, and MCSO and SPD to coordinate the work, problem-solve and monitor actions and outcomes. Outreach to other agencies, including BCDC, responsible for or with interest in management of harbors, bays and anchorages elsewhere in California, would also be undertaken to determine best practices and lessons learned.

It is important to ensure that you and your clients are aware of these efforts, launched in recent months. We anticipate that these will be the first of many steps toward mitigating the issues that your clients have described.

Respectfully Submitted,



Daniel Eilerman
Interim Executive Director, RBRA

Cc: RBRA Board Members
City and Town Managers, RBRA Member Agencies
Jenna Brady, Legal Counsel to RBRA
Bill Price, Harbor Administrator
Chief John Rohrbacher, Sausalito Police Department
Lt. Scott Anderson, Marin County Sheriff's Office