

RICHARDSON'S BAY REGIONAL AGENCY

Thursday, March 18, 2010

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

Sausalito City Council Chambers 420 Litho Street Sausalito, CA

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

AGENDA

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

1. Public comments invited concerning items NOT on this Agenda (3-minute limit)
2. Response to Board direction concerning previous actions
3. CLOSED SESSION
Conference with Legal Counsel – Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (b) of Section 54956:1
potential case
4. OPEN SESSION
Minutes of January 21, 2010 Meeting
5. Review report of Harbor Administrator
6. Approval of prior expenditures for January and February 2010
7. Resolution approving DBW vessel grant
8. Review preliminary FY 2010/11 budget
9. TMDL status update
10. Staff comments
11. Board member matters

Adjourn. **NEXT MEETING:** Tentatively planned for May 20, 2010. Please review your calendars and advise Staff as to your availability.

A COMPLETE AGENDA PACKET IS AVAILABLE FOR VIEWING ON THE RBRA WEBSITE <http://rbra.ca.gov> , AND AT THE SAUSALITO CITY LIBRARY.

TO RECEIVE AN ELECTRONIC MEETING NOTICE, PLEASE EMAIL REQUEST TO DON ALLEE AT dallee@co.marin.ca.us

RICHARDSON'S BAY REGIONAL AGENCY

MEMORANDUM

March 12, 2010

TO: RBRA Board

FROM: Ben Berto, RBRA Clerk

SUBJECT: March meeting

Board members:

As directed by the Board, the agenda will start out with public comments, and a response to queries. This will enable those members of the public who simply wish to speak on those first two items to avoid waiting until after the Closed Session.

Staff is making available the draft mooring program document it presented to BCDC last June. While drafts are not normally disseminated, a copy has already been released by BCDC, and it will help the new RBRA members gain some background knowledge. The document illustrates some of the divergence in positions between RBRA and BCDC, with RBRA emphasizing prevention of backfill.

Following the Closed Session, the Board is requested to approve a resolution authorizing application for and acceptance of a State Department of Boating and Waterways (DBW) grant for a new sewage pumpout vessel. The current vessel has been in service in Richardson's Bay for 10 years old and will be turned back to the State. Staff appreciates DBW's ongoing support for important RBRA program activities such as the vessel pumpout program, and looks forward to many years of good service with the new vessel.

Further on the subject of next year's draft budget, Staff has developed, as it does every year at this time, a draft for the Board's consideration. Despite some unavoidable expense increases, Staff has been able to hold off on any member jurisdiction dues increases this year. Please review the draft, and Staff will be prepared to respond to any comments or questions.

Marin and RBRA continue to ride out this El Nino winter in relatively good shape so far. It's good to have the reservoirs full. See you next Thursday.

RICHARDSON'S BAY REGIONAL AGENCY

MEMORANDUM

March 9, 2010

TO: RBRA Board

FROM: Ben Berto, RBRA Clerk

SUBJECT: Response to Board direction on information request regarding mooring program

Board members:

At the last meeting, an audience member raised a number of questions which he subsequently memorialized in a 1/30/10 letter to the RBRA Chair (attached). The Board directed staff to address his general informational requests and those on the mooring budget from another member of the public. Staff has prepared this memorandum in response.

Concerning the mooring field budget, the following sums have been spent on consultants:

County of Marin expenditure on Planning Consultant Cheryl Popp: \$6,750.
RBRA expenditure on Legal Consultant Clem Shute: 2009 \$10,932.
2010 \$2,972.

Mr. Moorhead's letter contains five topic areas, to which I will respond in order:

1. The RBRA Board is not actively pursuing adoption of a large vessel ordinance at this time. While large vessels can bring oversized problems during storm episodes, there are also numerous issues and questions associated with adoption of such an ordinance, including the cost of doing so (recall the \$50,000+ price tag for the simple wrecking of one such vessel absent any legal costs). The Emerald Sea is not currently in litigation at this time. A combination of expense and legal facts resulted in a recommendation from our attorney that it would be prudent to hold off on any legal action. RBRA may change its legal position in the future should circumstances change.
2. The RBRA does not issue anchoring permits at this time. The current large number and disorganized nature of vessels at anchor in the bay makes it impossible to permit vessels in a controlled regulatory context, given available resources. Issuance of permits for greater than 90 days could also provoke a reaction from BCDC. RBRA enjoys a largely collaborative relationship with BCDC, and avoids actions that might be deemed to conflict with the McAteer-Petris Act, State Lands Public Trust doctrines, and the Richardson's Bay Special

Area Plan. If and when a mooring program is in place, permits and similar activities are anticipated to be very much be a part of the management on the bay.

3. Copies are available of the DRAFT mooring field concept materials that were provided to BCDC last June. The draft nature of those materials is emphasized because of their timing in advance of any local public meetings to review issues such as environmental and aesthetic. Staff and the Board recognized that absent serious BCDC interest, there was little point in proceeding. As has already been reported to the public, BCDC's response was not favorable, which has led to an overall curtailment of mooring-related program activities.
4. The Harbor Administrator estimates that an average of approximately 20 vessels are demolished annually after a summary abatement process. It is a testament to the Harbor Administrator's tenacity and powers of persuasion that the remaining 20-40+ vessels annually demolished are obtained through less formal legal means. Misdemeanor/citation activities are confined to the Sheriff's department, with their far greater resources and enforcement staff.
5. The position of the RBRA, including its current Chairman, are consistent with current regulations, policies, and organizational and financial circumstances. While those seeking absolute elimination of all vessels stored on the bay may perceive faults with RBRA's management of the current situation, the Board is also aware of complaints (including "genocide") from those on the opposite end of the spectrum that the current level of regulation is too high. Efforts to find an acceptable balance given these widely divergent viewpoints and the constituencies they represent will continue to be challenging and dynamic process. RBRA's management of vessels in Richardson's Bay in some ways compares favorably to those with considerably more resources and a less constrained governmental context.

The views expressed by the Chairman are his alone. RBRA policies and practices are to enforce local regulations at a realistic level given resource limitations.

Attachment: Letter from Peter Moorhead dated January 30, 2010.

CC: Jennifer Vuillermet, RBRA Counsel

January 30, 2010

RBRA Board Chair Charles McGlashan:

Thank you for the opportunity to participate in the public comment concerning some of the recent actions by the RBRA. I think it's important to keep the public well informed about the decisions that your board members have made in recent months that are not always reflected in the Agenda items discussed at each meeting. I would respectfully request a full accounting in the interest of the public record on the following subjects.

1. Status of the legal case, court decision if there was one, and/or RBRA position on the Alfred Bono case regarding the mooring and storage of a large steel fishing vessel in Richardson Bay. As you know, the RBRA amended the RBRA Ordinance (N0. 08-1) pertaining to time restrictions on anchoring to specifically address enforcement of these anchorage rules for larger vessels. Was there a settlement in the case, and if so, what was the decision on enforcement on this or other larger (55 ft. +) vessels in the future?
2. The RBRA website and Anchorage Ordinances (*The provisions of this ordinance are intended to protect and promote the public health, safety and general welfare, to preserve the environment, and to protect the value, worth, and enjoyment of Richardson's Bay from damage caused by long term use of the anchorage without permit or regulation.*) specify that anchoring permits will be issued to vessels staying over the 72 hr. limit. Can the RBRA Board explain to your member's constituents and the general public why no permits have been issued and no potential revenue (other than from the few mooring balls that the RBRA manages) has been collected from this source to help defray the large administrative and operational expenses of the Agency's work? This would also help to reduce the large number of abandoned and derelict boats that are salvaged or disposed of at great taxpayer expenses thru the AWAFF program due to a more rigorous regulatory and enforcement environment.
3. The "work product" or summary of findings that your consultants (Popp/Shute) did in regards to advising the RBRA on the Mooring Plan/Strategic Bay Plan – specifically what they reported on their work (\$8,000+ billed) with the BCDC and others that may have influenced the Board's reluctance to proceed with the Mooring Plan investigation and analysis? Your June 4th meeting with Will Travis, Director of the BCDC, led you to suggest the "program was dead in the water". The public would expect some transparency in what the consultants did and what their report was to the Board. A vote on this specific subject on the status and continuance of the Mooring/Strategic Bay Plan should be included for the next RBRA meeting.

According to the July 16th minutes of the RBRA meeting... "Chair McGlashan explained that the recreational/residential plan that had been developed was

formulated since there was no other reasonable solution for dealing with the anchor-outs.” Question: What will be done with enforcement of the anchorage ordinances to the majority of non- residential or non-liveaboard vessels stored on the bay to conform to existing anchoring ordinances? Could the Board provide information to the public on how many “public nuisance” abatement cases or misdemeanor/infraction citations have been issued in each calendar year? Or what other specific enforcement actions have been undertaken under the terms of the RBRA Ordinances as they are now written? Would the Board agree to some accountability standards/goals with these enforcement tools in mind to ensure the public that their taxpayer funded program is actually following the stated goals of the Agency?

4. How does the Board Chair reconcile his personal views stated clearly in the July 16th-’09 meeting on your stated desire for the “preservation of the lifestyle of the anchor-outs”, including residential use of public trust lands governed by the State Lands Commission/BCDC, a position that conflicts directly with the existing regulatory and legal statutes of these governing entities, not to mention in your own RBRA Ordinances. Are you not bound and have a fiduciary obligation in your elected leadership role to follow the existing legal framework well established in local and state ordinances that supersede your own personal political views on this subject?

A timely response for the record would be appreciated to help clarify the RBRA position on these subjects.

Sincerely,



Peter Moorhead

Public Trust Advocate-Concerned Citizen

RBRA Board Members:

Jerry Butler

Ken Wachtel

Jonathan Leone

Emmett O’Donnell

BCDC:

Will Travis

RICHARDSON'S BAY REGIONAL AGENCY
MINUTES OF JANUARY 21, 2010
HELD AT SAUSALITO CITY HALL CHAMBERS

MEMBERS PRESENT: Board Chair Charles McGlashan, (Marin County); Dick Collins (Tiburon); Jerry Butler (Belvedere); Ken Wachtel, (Mill Valley)

ABSENT: Jonathan Leone (Sausalito)

STAFF: Bill Price (Harbor Administrator); Ben Berto (RBRA Clerk); Clem Shute (Legal consultant)

Meeting called to order at 5:38 PM

Welcome of new Board member and election of new RBRA Vice Chair

Member Dick Collins excused himself as RBRA Board member due to his many other responsibilities as new mayor of Tiburon. Emmitt O'Donnell has been appointed in his stead, and he comes to the Board having served on the Tiburon Design Review Board, the Planning Commission, and currently on the Town Council. He is also an avid boater.

Chair McGlashan commended Mr. Collins for his contribution to the RBRA, and wished him the best facing his new challenges.

Chair McGlashan nominated Member Wachtel for vice chair, and he was approved unanimously by the Board.

The Board and Staff adjourned to a Closed session to discuss anticipated litigation with legal counsel. Open session reconvened at 6:55PM.

Public comments invited concerning items NOT on this Agenda (3-minute limit)

Peter Moorhead expressed hope that the new member would get up to speed quickly. He asked about the outcome of the RBRA's legal action against the large fishing vessel anchored out, and expressed that all the vessels were illegal unless issued permits. He mentioned an anchored houseboat that was recently in the press and asked about its status. He asked about the status of the Strategic Plan and wanted to know if it was off the table, and he wanted to know what the consultant was paid for work on the Plan, and he wondered if there was any work to show for the expense.

Bob Mitchell asked why the fishing boat had not been abated. He also asked the board to undertake practical items: to back away from the 125 moorings on the Sausalito shoreline and fulfill the will of BCDC and State Lands Commission to rid the anchorage of moored boats. He also asked for a full accounting of consultant fees spent on the Mooring field to date.

Minutes of November 19, 2009 Meeting

Minutes were approved, with O'Donnell abstaining.

Review report of Harbor Administrator

Mr. Price spoke about the storm of January 19th and said that 1 small boat had been recovered off of a house in Belvedere, and that 4 vessels had sunk and 7 were either beached or recovered from the beach already. He stated that the beach would be cleared of all boats by the end of the week.

He also addressed the water tests that were underway and said that with all the run-off we were expecting some interesting results. The State Board had offered to fund future tests if possible within the scope of their budget.

A houseboat had been identified as disconnected from the main sewage line by some watchful residents, and Mr. Price and Robert Turner from EHS participated in a joint site visit, which resulted in a newly repaired sewage hook-up on the houseboat within 12 hours. It is hoped that the neighborhood watch model will successfully address the TMDL concerns regarding monitoring pipes and systems at the houseboat marinas.

Report was accepted.

Prior Expenditures

Mr. Price reported that expenditures seemed to be on track, but that the El Nino year could have a disastrous effect on the budget numbers if large storms keep coming in.

The expenditure report was accepted.

TMDL Plan Discussion

Mr. Berto explained the status of Environmental Health Services and their participation in the TMDL, which includes outreach to the houseboat marinas. EHS anticipates a grant of \$5K to help pay for their role, although the contract for the grant had yet to be approved. This had held up EHS' participation, but it was expected that the grant would be approved and activities moving forward by the end of March.

Board Member Matters

Chair McGlashan asked that if a Closed Session is scheduled, the public comment portion of the meeting should be moved up on the schedule so that members of the public with comments do not have to wait for the regular meeting to reconvene. He also asked, with Board concurrence, Staff to prepare a cost accounting for the Strategic plan consultants, and to release the draft powerpoint that was presented to the BCDC last Summer. He made it clear that the RBRA had to get buy-in on mooring program parameters from BCDC, the lead permitting agency before serious work in a local forum that would raise public expectations and incur expenses. It has always been the intent of the RBRA to initiate a full public outreach and development program once the basis for a working relationship with BCDC has been established.

The meeting was adjourned at 7:30 PM

NOTE: The next meeting of the RBRA is scheduled for **May 20, 2010 at 5:30 PM** at the Sausalito City Hall Chambers.

RICHARDSON'S BAY REGIONAL AGENCY

HARBOR ADMINISTRATOR'S REPORT WORKING RELATIONSHIPS

March 11, 2010

- **Dept. of Boating and Waterways** – 1) Boating and Waterways has provided a new sewage pump-out vessel to replace “Waste-Aweigh”, which is now 10 years old. Money for the vessel has been secured through an EPA grant. Vessel is being prepared for delivery and should be available and working next month. The old vessel will be retired and returned to the State. 2) Received first 2009 grant reimbursement check from DBW AWAFF grant totaling \$29,634. Submitting the second reimbursal request for @\$45,000 that primarily covers 2010 storm-related projects from the last two months. 3) Applying for two grants from DBW: the AWAFF grant and the new “Vessel Turn-In Program” (VTIP) grant. Initially anticipate a total grant request of @\$132,000 plus the VTIP program.
- **US Coast Guard** – 1) Attending all meetings of the Abandoned Vessel group that the Coast Guard sponsors. 2) Worked with Incident Command Center on three cases where fuel had to be pumped from a wreck prior to the removal of the vessel.
- **Sausalito Police Department** – 1) Training new officers on the operations of the patrol boat. 2) Worked closely with detectives to find and recover a stolen vessel and investigate the incident. 3) Using Community Service volunteers to repair, clean, and upgrade docks. Meeting with city official to determine acceptable uses for the docks.
- **Corps of Engineers** – Assisted the Corp in dealing with the influx of storm-related incidents at their main dock.
- **CA Association of Harbor Masters and Port Captains** – Attended the bi-annual Board meeting in Dana Point. Heading the Clean Marina committee and serving on the Legislative committee.

DEBRIS REMOVAL

- Disposed of 19 vessels as well as 6 skiffs and 2 dock sections. 4 boats are currently impounded. Boat demolition list covers the last 4 months.
- Beach clean-up efforts continue using Community Service volunteers.

RAPID RESPONSE

- Two vessels were retrieved from West Shore Road, Belvedere. 6 vessels were rescued during the height of the storm, but they were recovered off the shoreline in Tiburon. 4 large vessels washed up on Tiburon's shoreline and were stranded there for a week. Two were removed by the owners, one was salvaged by RBRA and one was delivered to RBRA for disposal once it was removed due to terminal leakage.
- Rapid Response flyer has been updated and sent out to residents and local authorities.

WATER QUALITY

- Water testing for winter 2010 has wrapped up, and results are expected within a few weeks.
- Schoonmaker Point Marina, Pelican Yacht Harbor and Sausalito Yacht Harbor are all working to become certified California Clean Marinas.

Richardson Bay Regional Agency

Vessel Disposal List Nov. 2009 - Mar. 2010

Date	Name	Type	Amount
11/18/2009	JOLLY ROGER	42' POWER	4,430.00 SUNK
11/18/2009	MOONBEAM	28' SAIL	0.01
11/19/2009	AVR CANO	65' POWER	3,799.90 SUNK
11/21/2009	BUCCANEER	25' SAIL	1,742.03 ABANDONED
11/21/2009	WATERBUG	20' POWER	200.00 ADRIFT
11/21/2009	SHAWNEE	18' POWER	185.00
11/24/2009	AMERICAN 24	24' SAIL	185.00 ADRIFT
11/24/2009	C20 TRAVIS	20' SAIL	250.00
11/24/2009	BROADBILL	37' POWER	2,173.03
11/28/2009	DELTACRAFT	18' POWER	185.00
11/28/2009	TROJAN 26	26' POWER	660.00
11/28/2009	HELIOS	26' SAIL	0.01
12/5/2009	MAX'S DREAM	35' SAIL	1834.47
12/5/2009	VAGABONDO	23' SAIL	270.00 SUNK
12/5/2009	DANCING DRAGON	20' SAIL	185.00
12/10/2009	NO RESPECT	36' POWER	200.00
12/10/2009	AVANTI	20' POWER	200.00 SUNK
12/10/2009	FERROMAR	38' SAIL	2,440.00 SUNK
12/19/2009	EDGEWATER	18' SAIL	185.00 ABANDONED
12/19/2009	COBRA	22' SAIL	100.00
12/19/2009	GRIFFIN	42' POWER	2,036.85 SUNK
12/19/2009	CARIB SKIFF	18' POWER	200.00 SUNK
12/19/2009	CORONADO 23	23' SAIL	623.00
1/2/2010	CANCUN	30' SAIL	2,013.00 BEACHED
1/28/2010	SUNQUEST	42' POWER	5,460.00 SUNK
1/28/2010	ISLANDER BAHAMA	24' SAIL	185.00 BEACHED
1/30/2010	36' POWERBOAT	36' POWER	2,175.00 SUNK
1/30/2010	CROSBY SAIL	24' SAIL	800.00 SUNK
1/30/2010	GREEN SKIBOAT	18' POWER	400.00 SUNK
1/30/2010	BUMFUZZLE	55' SAIL	8,990.00 SINKING
2/1/2010	DROOPY	36' POWER	2,000.00 SUNK
2/3/2010	BULLY CHRIS	35' POWER	3,772.00
2/3/2010	MONA MONK	32' POWER	2,825.00 SUNK
2/3/2010	LAHAINA	40' SAIL	8,700.00 SUNK
2/13/2010	ISLANDER 23	23' SAIL	500.00
2/13/2010	CLAUDIA	30' POWER	150.00
2/13/2010	WIND SPIRIT	22' SAIL	0.01
2/13/2010	TUNA TOWER BOAT	24' POWER	0.01
2/13/2010	HYDROSTREAM	20' POWER	640.00 ABANDONED
2/20/2010	HOWLIN OWL	24' SAIL	1,291.11 ABANDONED
2/20/2010	TOLLYCRAFT	30' POWER	125.00 ABANDONED
3/6/2010	QUICK TRIP II	24' SAIL *	751.00 BEACHED
3/6/2010	SPOT	30' SAIL *	731.00 BEACHED
			63,592.43

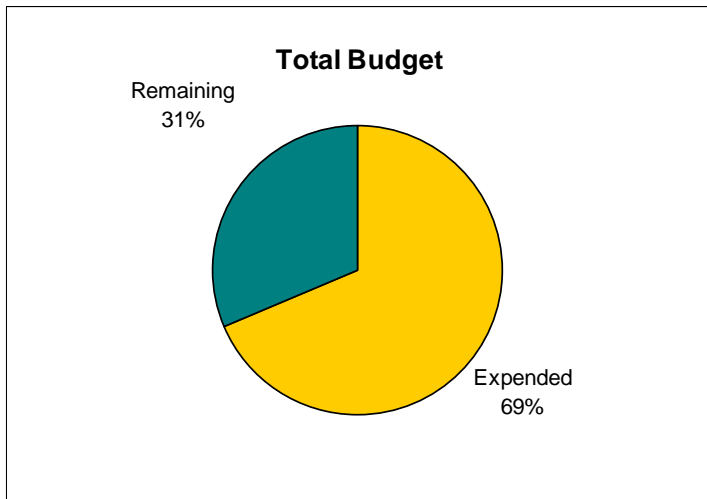
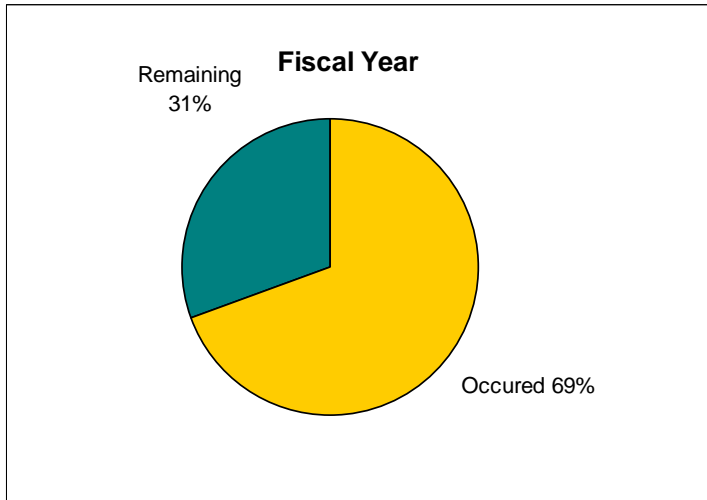
* signifies that invoices are still coming in

RBRA FY 2010 - JAN. 11, 2009- MAR. 9, 2010 BALANCE SHEET

COST ELEMENT	TYPE	EXPENSES	REVENUE
Bldgs & Grounds Rent	Mooring rent - Hebert		600.00
Sales and Services	Disposal Services - Parker Diving		400.00
		TOTAL REV	1000.00
Professional Services	FLESHMAN - Day labor	375.00	
Professional Services	FLESHMAN - Day labor	225.00	
Professional Services	WEDLOCK - survey	185.00	
Professional Services	WEDLOCK - survey	185.00	
Professional Services	DAVE'S DIVING SERVICE - salvage	2750.00	
Professional Services	PARKER DIVING SERVICE - salvage	4900.00	
Professional Services	PARKER DIVING SERVICE - salvage	2000.00	
Professional Services	PARKER DIVING SERVICE - salvage	400.00	
Professional Services	PARKER DIVING SERVICE - salvage	610.00	
Professional Services	PARKER DIVING SERVICE - salvage	1800.00	
Professional Services	PARKER DIVING SERVICE - salvage	800.00	
Professional Services	DIEGO TRUCK REPAIR - towing	375.00	
Professional Services	MT Head - sewage pump-out	325.00	
Professional Services	ALEXANDER, EILEEN DENNY - web update	260.00	
Professional Services	San Rafael Yacht Harbor - boat disposal	8700.00	
Professional Services	San Rafael Yacht Harbor - boat disposal	7700.00	
Professional Services	PARKER DIVING SERVICE - salvage	2600.00	
Professional Services	FLESHMAN - Day labor	150.00	
Professional Services	FLESHMAN - Day labor	125.00	
Professional Services	PARKER DIVING SERVICE - salvage	352.50	
Hazard. Materials Clean Up	BAY CITIES REFUSE - debris removal	773.00	
Hazard. Materials Clean Up	BAY CITIES REFUSE - debris removal	3772.00	
Legal Services	SHUTE MIHALY & WEINBERGER - Counsel	1471.50	
Legal Services	COUNTY OF MARIN- County Counsel	87.50	
County Salary	Salary	9471.24	
Comms - Broadband	AT & T	78.34	
Comms - Broadband	Earthlink	5.90	
Comms - Cell phone	AT&T mobile phone	73.56	
Rent - Equipment Rental	HERTZ EQUIPMENT - backhoe rental	1291.11	
Rent & Operating Leases	SCHOONMAKER POINT MARINA - Slip	147.50	
Rent & Operating Leases	SCHOONMAKER POINT MARINA - Slip	277.71	
Rent & Operating Leases	LIBERTY SHIP WAY - dry storage	240.00	
Rent & Operating Leases	ICB ASSOCIATES - office	420.00	
Rent & Operating Leases	SAUSALITO SHIPYARD & MARINA - Slip	210.00	
Rent & Operating Leases	SAUSALITO SHIPYARD & MARINA - Slip	210.00	
Rent & Operating Leases	SAUSALITO SHIPYARD & MARINA - Slip	105.00	
Rent & Operating Leases	SAUSALITO SHIPYARD & MARINA - Slip	84.00	
Rent & Operating Leases	SAUSALITO SHIPYARD & MARINA - Slip	133.00	
Rent & Operating Leases	SAUSALITO SHIPYARD & MARINA - Slip	84.00	
Rent & Operating Leases	SAUSALITO SHIPYARD & MARINA - Slip	49.00	
Rent & Operating Leases	SAUSALITO SHIPYARD & MARINA - Slip	210.00	
Rent & Operating Leases	SAUSALITO SHIPYARD & MARINA - Slip	210.00	
Rent & Operating Leases	SAUSALITO SHIPYARD & MARINA - Slip	70.00	
Rent & Operating Leases	SAUSALITO SHIPYARD & MARINA - Slip	210.00	
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Rent & Operating Leases	SAUSALITO SHIPYARD & MARINA - Slip	210.00	

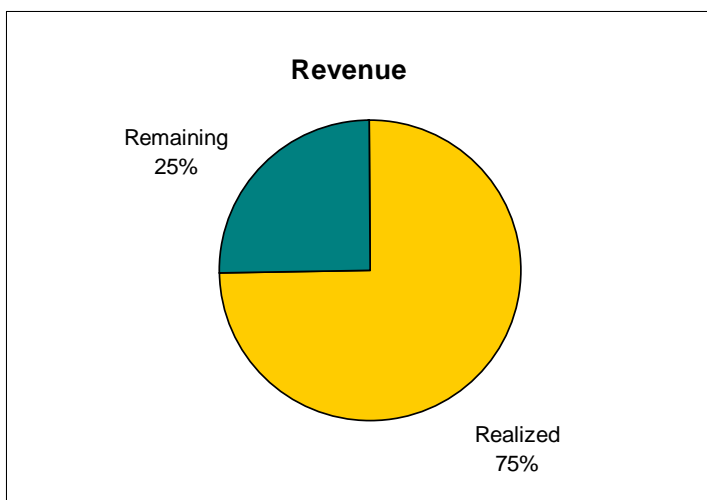
Rent & Operating Leases	ICB ASSOCIATES - office	420.00
Rent & Operating Leases	SCHOONMAKER POINT MARINA - Slip	276.12
Rent & Operating Leases	SCHOONMAKER POINT MARINA - Slip	147.50
Rent & Operating Leases	LIBERTY SHIP WAY - dry storage	240.00
Trav-Meals	Saylor's Landing - volunteer crew lunch	28.87
Postage	Fed Ex	10.70
Maintenance	Port Supply - boat parts	18.82
Maintenance	Water Street hardware - dock parts	29.70
Maintenance	Water Street hardware - dock parts	33.76
Maintenance	Water Street hardware - dock parts	27.24
Maintenance	Goodman hardware - gloves, bags and tools	46.72
Maintenance	Port Supply - boat parts	158.50
TOTAL EXPENDITURES		55359.79

Percent of Budget and Percent of Year as of March 10, 2010



Expenditures vs. Budgeted Expenditures

Expenditures	\$225,531
Adopted Budget	\$328,870



Realized Revenue vs. Budgeted Revenue

Realized Revenue	\$245,788
Budgeted Revenue	\$328,626

RICHARDSON'S BAY REGIONAL AGENCY

RESOLUTION NO. 10-2

RESOLUTION OF THE RICHARDSON BAY REGIONAL AGENCY REQUESTING
AND AGREEING TO A GRANT OF A PUMP-OUT BOAT AND TRAILER
FROM THE DEPARTMENT OF BOATING AND WATERWAYS
FOR THE CONTINUANCE OF A VESSEL PUMP-OUT PROGRAM
AT RICHARDSON'S BAY, MARIN COUNTY, CA.

WHEREAS, the Department of Boating and Waterways is authorized to provide grants to cities, counties, districts, and other public agencies for the construction, operations and maintenance of pump-out vessels in furtherance of its role in protecting and enhancing water quality; and

WHEREAS, for ten years the Richardson Bay Regional Agency has been operating a Department of Boating and Waterways supplied pump-out vessel within Richardson's Bay in Marin County, CA, to meet the needs of boaters and to keep the State waters clean, for which said vessel is nearing the end of its useful life; and

WHEREAS the Richardson's Bay Regional Agency desires to enter into an agreement to provide for the operation and maintenance of a proposed new vessel;

NOW, THEREFORE BE IT RESOLVED, that the Board of the Richardson's Bay Regional Agency by adoption of this resolution hereby requests that the Department of Boating and Waterways provide a new pump-out vessel and trailer as described in Standard Agreement (Reg. #3680) to be operated within Richardson's Bay in Marin County, CA; and

BE IT FURTHER RESOLVED that the Richardson's Bay Regional Agency agrees to accept the grant and hereby authorizes the Richardson's Bay Regional Agency's Harbor Administrator to sign the grant agreement and accept the grant for the purpose stated above.

PASSED AND ADOPTED by the Richardson's Bay Regional Agency's Board of Directors on the 18th day of March, 2010 by the following vote:

AYES:

NOES:

ABSENT:

CHARLES McGLASHAN - BOARD CHAIR
RICHARDSON'S BAY REGIONAL AGENCY

ATTEST:

CLERK – BEN BERTO

RICHARDSON'S BAY REGIONAL AGENCY

MEMORANDUM

March 12, 2010

TO: RBRA Board

FROM: Ben Berto, RBRA Clerk

SUBJECT: Preliminary FY 2010-2011 budget

Board members:

Recognizing the fiscal pain all jurisdictions continue to feel, Staff is proposing an absolutely bare-bones budget for FY '11 (attached) that forecasts no increase in costs to local jurisdiction members, while increasing the overall budget for vessel demolition.

Expenses are projected to increase by approximately \$20,000 of which about half is due to increases in staff expenses, and the other half from expenditures for the biennial audit and RBRA's pumpout vessel operations. Staff expenses are going up because of anticipated local expense increases for Harbor Administrator benefits and retirement due to the State retirement system's poor finances and a fine-tuning of the Clerk's hours versus the \$128/hour fully funded management and administration rate.

The budget reduces the mooring work program line item for outside consulting from \$12,000 to \$7,000, and basically eliminates from the work program any substantial time expenditures for the mooring program. It is hoped that RBRA members' abilities to fund mooring activities will improve in FY '12 to allow work on this important effort to continue.

Revenues are expected to match the expense increase through additional AWAFF reimbursements and the upcoming Vessel Turn-In Program (VTIP).

This is the second, and realistically likely the last year that the budget avoids any increase in member dues. There are simply too many expense items that ratchet up annually, and losing any flexibility in the budget leaves the Agency seriously challenged if, for example, we experience a severe winter, a commercial vessel wrecking expense, or any substantial legal bills. Even in the upcoming fiscal year, Staff may have to request a budget supplement if any one of a number of items comes up.

The attached budget figures include a sheet with each member jurisdiction's proposed share based on the RBRA's adopted formula. Staff requests each representative contact their jurisdiction's finance officer with the contribution amount requested. Hopefully, given no RBRA budget changes from last year, all members will be able to report their jurisdictions in at the next RBRA meeting with (forecasted) funding at the full amount, so that the Board can take formal action to approve the budget.

Attachments: 1. Draft FY 2010-2011 RBRA Budget
2. RBRA member jurisdiction budget splits

RICHARDSON'S BAY REGIONAL AGENCY - FY 10-11 DRAFT BUDGET 3/12/2010

EXPENDITURES

BUDGET#	DESCRIPTION	09/10 ADOPTED	09/10 ACTUALS	10/11 PRJCTD	
5210100	PROFESSIONAL SERVICES	\$282,520	\$278,910	\$301,840	AWAF salvage; legal; salary; county management
5210500	INSURANCE PREMIUMS	\$13,500	\$13,764	\$13,750	
5210700	COMMUNICATION	\$1,600	\$1,577	\$1,600	phone, fax, internet, mobile
5211200	RENTAL & OPER. LEASES	\$23,000	\$23,384	\$26,000	Office; slips & dry storage; heavy equipment rental
5211300	PROF. DEVEL. EXPENSES	\$600	\$618	\$600	professional associations
5211400	TRAVEL & MEETINGS	\$2,000	\$1,000	\$2,000	Harbormaster's Conference (So Cal 2010), mileage
5211520	PUBLICATION	\$1,000	\$85	\$800	Legal ads
5220100	OFFICE EXPENSES	\$650	\$500	\$500	
5220200	MAINT. & REPAIR - EQUIP	\$3,500	\$1,300	\$2,500	Patrol boat maintenance
5482045	VEHICLES	\$500	\$0	\$0	
		\$328,870	\$321,138	\$349,590	

PROFESSIONAL SERVICES BREAKOUT					
	MOORING WORK PROGRAM	\$12,000	\$4,905	\$7,000	Outside legal consulting
	LEGAL	\$7,000	\$262	\$3,000	County Counsel
	RAPID RESPONSE PROGRAM	\$10,000	\$7,000	\$10,000	
	LAB SERVICES	\$6,000	\$4,500	\$5,000	TMDL testing @4200. MCCSTOPP contribution
	SPECIAL APPOINTMENT	\$123,453	\$123,453	\$129,780	Est. incl. new 5% hike in benefit expenses & 1.5% COLA
	PROFESSIONAL SERVICES	\$90,000	\$90,090	\$90,000	AWAF salvage
	CDA ADMIN	\$31,000	\$28,000	\$34,560	CDA mangement and administrative expenses
	10% AWAFF grant expenditures		\$10,200	\$12,000	AWAF salvage match funds
	AUDIT		\$5,000	\$5,000	
	MT HEAD		\$4,000	\$4,000	Sewage pump-out services
	WEBSITE DEV & ADMIN	\$2,000	\$1,500	\$1,500	updates and maintenance
		\$281,453	\$278,910	\$301,840	

REVENUES

		09/10 ADOPTED	09/10 ACTUALS	10/11 PRJCTD	
	Beginning Balance				
4410125	INTEREST POOLED INVST	\$1,000	\$1,092	\$1,000	
4410225	SLIP RENTALS	\$3,000	\$3,875	\$3,000	mooring rentals
4410410	OTHER SALES & SERVICES	\$5,000	\$7,000	\$6,000	misc. reimbursement, disposal chargeback
4530527	INTERGOVT REVS - STATE	\$112,000	\$110,000	\$132,000	AWAF reimb. 120K, EPA Grant 12K
4640322	INTERGOVT REVS - LOCAL	\$207,626	\$207,626	\$207,626	RBRA Member Dues
		\$328,626	\$329,593	\$349,626	

RBRA DUES CALCULATIONS FOR FY 10-11

3-18-10 draft

	% budget	Current
Marin Co	42.5	\$88,241.00
Sausalito	35	\$72,669.00
Tiburon	10	\$20,763.00
Belvedere	7.5	\$15,572.00
Mill Valley	5	\$10,381.00
		\$207,626.00