

**MARIN COUNTY COUNCIL OF MAYORS AND COUNCILMEMBERS**

**DRAFT**

**MINUTES**

**Wednesday, June 22, 2016**  
**Hosted by the City of Sausalito**  
**Spinnaker Restaurant – 100 Spinnaker Drive**  
**Sausalito, CA 94965**

**Members Present**

Belvedere: Bob McCaskill, Claire McAuliffe, Sandra Donnell  
Corte Madera: Jim Andrews, Sloan Bailey, Michael Lappert  
Fairfax: Barbara Coler, John Reed, David Weinsoff  
Larkspur: Larry Chu  
Mill Valley: Sashi McEntee, Jim McMann, Jessica Sloan, Jim Wickham  
Novato: Denise Athas, Pam Drew, Pat Eklund, Eric Lucan  
Ross: Elizabeth Brekhus, Katie Hoertkorn, P. Beach Kuhl, R. Rupert Russell  
San Anselmo: Matt Brown, Kay Coleman, Tom McInerney, John Wright  
San Rafael: Kate Colin, Andrew McCullough  
Sausalito: Jill Hoffman, Linda Pfeifer, Tom Theodores, Herb Weiner, Ray Withy  
Tiburon: Alice Fredericks, Erin Tollini

Ex Officio: Belvedere City Manager Mary Neilan; Larkspur City Manager Dan Schwarz; Ross City Manager Joe Chinn; San Anselmo Town Manager Debra Stutsman; San Rafael City Manager Jim Stutz; Sausalito City Manager Adam Politzer; and Tiburon Town Clerk/acting MCCMC Secretary, Diane Crane Iacopi.

**Call to Order**

President Athas called the meeting to order at 7:00 p.m.

**Public Comment**

There was no public comment.

**Welcome and Introduction of Guests**

Mayor Hoffman welcomed everyone to the meeting and introduced the members of the Sausalito City Council. The group sang "Happy Birthday" to Councilmember Ray Withy.

The Mayor also introduced members of the Sausalito City Staff: John Rohrbacher, Police Chief, Bill Fraass, Police Lieutenant, Jonathon Goldman, Public Works Director; Abbot Chambers, City Librarian; Susan Paterson, Human Resources Manager, Mike Langford, Parks and Recreation Director, Melanie Purcell, Administrative Services Director, and Lily Whalen, City Clerk/Assistant City Manager.

Guests were: Marin County Supervisor Kate Sears and aide, Leslie Alden; County Administrator Matthew Hymel; Sheila Lichtblau, Ross, Candidate for Judge; City of Belvedere Police Chief Tricia Seyler, and former San Rafael City Manager, Rod Gould.

Mayor Hoffman turned the meeting back over to President Athas for the Business Meeting.

**MCCMC Committee Reports**

**ABAG.** Mayor Eklund of Novato referenced the written report distributed with the packet for the full report. She said that ABAG had adopted the Option 7 implementation plan at its last meeting.

She thanked everyone who had participated in the June 4 public workshop on Plan Bay Area 2040. She said Marin had over 117 participants, the most of any county represented.

**Legislative Committee.** Chair Fredericks reported on two bills: 1) the wireless facilities bill she said had "disappeared" from the floor, and 2) the by-right housing bill which never made it into the trailer bill. However, Fredericks said that both bills could resurface and recommended that each city develop a process to deal with such issues between meetings, such as creating a Council subcommittee which would have the authority to draft letters and respond on behalf of the city.

**Transportation Authority of Marin (TAM).** Alice Fredericks she said they were searching for the first and last mile solutions for the SMART train; also that an ad hoc committee was studying apps for parking in communities.

**Marin County Disaster Citizen Corps.** No report.

**Multi-Jurisdictional Local Hazard Mitigation Planning Process.** Tom Jordan, Marin County Emergency Services Coordinator, who gave a brief update on the multi-jurisdictional local hazard mitigation planning process. Mr. Jordan said this legally required process (pursuant to the Disaster Mitigation Act of 2000) had been endorsed wholeheartedly by FEMA Region Nine. He noted that having one multi-jurisdictional plan versus 12 individual plans avoided duplication of effort and resulted in a more effective plan. He said the plan would be delivered to the County in the spring of 2017 for approval. Jordan said, in future, the plan can be done in a collective manner because a logic model, roadmap, and time frames are now in place.

**Speaker:** Sausalito Police Chief John Rohrbacher

**Program:** "State of Richardson's Bay Update"

Mayor Hoffman introduced the item, noting it was important to have some context prior to moving forward with enforcement actions. She said it was especially important to understand the jurisdictional boundaries and to have answers to the common questions such as, how long can you anchor in Richardson's Bay, and is there a constitutional right to anchor there?

In his presentation, Chief Rohrbacher said were five jurisdictions that comprised the Richardson Bay regional agency, a joint powers authority formed in 1985. He said the proportional representation varied, with Sausalito representing a 35% share and the County, a 42.5% share. He said there was no "right" to anchor there.

The Chief explained the regulations governing anchorage. He said City rules limit anchorage to no more than 10 hours without permission; however, he said the City has no particular towing authority. He said County rules limit anchor outs to 72 hours with a permit but there is no removal authority. The RBRA says that you can anchor for up to 72 hours without a permit and you can have a permit of up to seven days. Live aboard is prohibited, according to the Chief, and the RBRA has removal authority. Therefore, he said member jurisdictions rely on RBRA for removal, but any law enforcement agency can use this authority as well.

In explaining the scope of the current problem, Chief Rohrbacher said there were currently 260 illegal anchor outs, compared to 70 in 1968; he said in 2008, there were 98, and in 2015 the number jumped to 240. Of these vessels, he said most are in County waters, some are in Belvedere waters and only 65 or so are within Sausalito's jurisdiction. He also explained that many of the anchorages in the greater Bay and Delta have closed, along with boatyards, and that is one reason many vessels have ended up here in Richardson's Bay.

Chief Rohrbacher noted the State legislature had passed a debris removal authority bill this year which requires a 10-day waiting period prior to removal. But he said the question is, what constitutes "marine debris". He said this might include derelict or uninhabited vessels, noting a

local survey found many of these in the Bay; he said this was a good starting place to target the work of removal, once a complete assessment was made.

The Chief discussed the consequences of illegal anchor outs, such as the destruction of environment, navigational hazards, increased crime of various kinds, and other public safety issues.

Chief Rohrbacher described a partnership of the Coast Guard, Marin County Sheriff's Department, and Sausalito Police Department which is planning to undertake "Operation Clean Sweep". He said they had submitted a grant application to the California State Parks Division of Boating and Waterways to seek funding for this endeavor. He noted that the RBRA has removed 400 vessels since 2011 and spent in excess of \$1 million. He said this was still not enough funding. He summarized future actions as working together in collaboration with the other agencies to issue citations, abate marine debris, and generally, to continue to "chip away" at the problem.

During Q and A, Councilmember Colin of San Rafael said that at last count the homeless population in Marin County had increased by 200. She commented that if people living aboard illegal vessels are evicted, they will have to go somewhere. The Chief said the Sausalito Police Department steers the people they work with to community programs. He said they recognize the people living aboard vessels as "people first".

Councilmember Lappert of Corte Madera asked if there were any anchor points for low income people, or whether all "anchor outs" were to be gotten rid of. The Chief said these decisions were up to the elected officials, however, he reiterated that there were lots of things that could be done before "we start moving people".

#### **BUSINESS MEETING (continued) – 8:25 p.m.**

##### **Approval of Minutes – April 27 and May 25, 2016 meetings.**

There was a motion and second (Fredericks/Bailey) to approve the minutes. Motion passed by acclamation.

**Election of Officers.** President Athas noted the nominations for the Executive Committee positions of President and Vice President for the 2016–17 term had been made at the May meeting. She said Sloan Bailey was nominated for President and Kate Colin for Vice President, and their letters of interest were in the packet.

There being no further nominations from the floor, there was a motion and second (Coler/Withy) and the nominations were approved unanimously by acclamation. Athas said the President and Vice President-elect would take office in September.

**Committee Vacancies.** President Athas noted Mayor Gary Phillips' resignation from LAFCO. She said letters of interest should be forwarded to her or the president-elect.

**Special Presentation.** President-elect Bailey then introduced the final speaker of the evening, Rod Sterling, the editor of the Marin Independent Journal. Mr. Sterling said he had been a reporter for 37 years. He talked about the changes in newspapers and reporting of news. He said despite the fact that print circulation had fallen dramatically, the paper now had one of the largest audiences ever. He noted that some of the reporters are now using live blogs and other methods of reporting the news in order to remain current and forward thinking. He said that in a recent survey 50% of those polled said they got their news from the Marin Independent Journal.

## **Adjournment**

President Athas thanked everyone for a great year and adjourned the meeting at 8:40 p.m. to the next regular meeting on September 28, 2016. She wished everyone a Happy Summer.

Submitted,

Diane Crane Iacopi  
MCCMC (Acting) Secretary