

Governing Board

San Francisco Bay Restoration Authority

Wednesday, July 29, 2009

1:00 p.m. to 3:00 p.m.

Meeting Location:

MetroCenter, Auditorium

101 8th Street, Oakland, California 94607

For additional information, please contact:
Clerk of the Governing Board, (510) 464 7910

Agenda and attachments available at:
www.sfbayrestore.org

AGENDA

1. Call to Order

Action

Samuel Schuchat, Executive Officer, California State Coastal Conservancy

2. Roll Call

3. Public Comment

4. Announcements

5. Approval of Summary Minutes of April 22, 2009

Action

Attachment: Summary Minutes for April 22, 2009

6. Organizational Matters

A. Election of Vice Chair

Action

B. Selection of Authority Logo

Action

Judy Kelly, Director, San Francisco Estuary Partnership

Attachment: Hutzel/Kelly memo dated July 15, 2009, with attachment: Logo graphics

C. Adoption of FPPC Conflict-of-Interest Code

Action

Kenneth Moy, Legal Counsel, Association of Bay Area Governments

Attachment: Moy memo dated July 15, 2009, with attachment: Resolution 3, Adoption of Conflict-of-Interest Code

Governing Board

San Francisco Bay Restoration Authority

AGENDA

Wednesday, July 29, 2009

D. Formation of Advisory Committee

Information

Judy Kelly, Director, San Francisco Estuary Partnership

Attachment: Hutzel/Kelly memo dated July 15, 2009

E. Report on Financing Options

Information

Staff, Save The Bay, and Consultant, SCI Consulting Group

Attachment: San Francisco Bay Restoration Authority Funding Options Report 2009,

Prepared for Save The Bay, Prepared by SCI Consulting Group

F. San Francisco Foundation Grant Application Submission

Action

Judy Kelly, Director, San Francisco Estuary Partnership

Attachment: Hutzel/Kelly memo dated July 15, 2009, with attachment: Grant application for financing options study

G. Scheduling Governing Board Meetings

Action

Attachment: Meeting schedule (proposed)

7. Adjournment

Agenda approved by the Governing Board Chair:

July 16, 2009

Agenda posted:

July 16, 2009

Governing Board

San Francisco Bay Restoration Authority

SUMMARY MINUTES

Wednesday, April 22, 2009

2:00 p.m. to 4:00 p.m.

Meeting Location:

MetroCenter, Auditorium

101 8th Street, Oakland, California 94607

For additional information, please contact:
Clerk of the Governing Board, (510) 464 7910

Summary Minutes available at:
www.sfbayrestore.org

1. Call to Order

The Chair called the meeting to order at 2:09 p.m. The Clerk reported that a quorum of the Governing Board was present. Governing Board and staff members introduced themselves.

2. Summary of Legislation Establishing the Authority

Kenneth Moy, Legal Counsel, Association of Bay Area Governments (ABAG), presented a summary of Assembly Bill No. 2954, Chaptered September 30, 2008, which established the San Francisco Bay Restoration Authority (Authority). The report covered the purpose of the Authority and its governing structure and the appointment of Governing Board members by ABAG; noted that four of the seven Governing Board members constitute a quorum and that a majority vote is needed for action to be taken by the Governing Board; described the composition of the Advisory Committee; addressed the Authority's taxing authority to create revenue for funding projects and the restriction on owning land; and noted that the legislation sunsets the Authority after 2028.

3. Overview of San Francisco Bay Wetlands Restoration Projects and Opportunities

Amy Hutzel, Regional Manager, California State Coastal Conservancy (Conservancy), and Judy Kelly, Director, San Francisco Estuary Project (SFEP), presented a report on San Francisco Bay Restoration Projects and Opportunities. The report included a description of the San Francisco Bay, its wildlife habitats, recreation and open spaces, and other benefits; wetland loss and restoration; and descriptions of early small-scale projects, recent large-scale acquisitions, and urban projects. The report addressed issues including sea level rise, subsidence, and sediment supply; existing infrastructure; vectors; invasive species; conflicts between public use and wildlife; conflicting habitat needs of wildlife; funding sources and challenges; and partnerships for wetlands.

Members discussed early degradation issues and wetlands management, recreational use and infrastructure; the Authority's role as compared to other regional agencies; and revenue sources and financing options.

4. Organizational Matters

A. Staff Support for the Authority

Moy presented a report on the interim staff for the Authority and the offer from the Association of Bay Area Governments and California State Coastal Conservancy to provide assistance of interim staff, and commented on expectations regarding cost reimbursement. The report described the appointment of interim staff to fill certain roles, including ABAG's Executive Director as Director of the Authority, ABAG's Legal Counsel as Legal Counsel to the Authority, ABAG's Finance Director as Treasurer of the Authority, and ABAG's Clerk of the Board as Clerk of the Governing Board of the Authority.

The Chair recognized a motion by John Gioia, Supervisor, County of Contra Costa, and seconded by John Sutter, Director, East Bay Regional Park District, to adopt Resolution 1, Resolution accepting use of the Association of Bay Area Governments' and State Coastal Conservancy's staff as staff to the San Francisco Bay Restoration Authority. The motion passed unanimously.

B. Adoption of Conflict of Interest Code

Moy presented a report on the adoption of a Conflict of Interest Code for the Authority and briefed members regarding compliance, the role of the Fair Political Practices Commission (FPPC), the designation by the Governing Board of who is required to file a Form 700, and the official service of the Notice of Intent to Adopt a Conflict-of-Interest Code. He recommended that the Governing Board proceed with the adoption of a Conflict of Interest Code with Appendix A [Recommended Version].

The Chair recognized a motion by Rosanne Faust, Mayor, City of Redwood City, and seconded by Charles McGlashan, Supervisor, County of Marin, to adopt Resolution 2, Resolution authorizing the Notice of Intention to Adopt a Conflict of Interest Code by the San Francisco Bay Restoration Authority. The motion passed unanimously.

C. Briefing of Brown Act Open Meeting Requirements

Moy presented a report on the Ralph M. Brown Act (Brown Act) and the Authority's compliance with the open meeting law, including notice of meetings and legal requirements and posting of agendas, accessibility of teleconference and tele-video meeting locations, and the prohibition against "serial meetings."

Members discussed the differences between the Brown Act and the Bagley-Keene Open Meeting Act.

D. Adoption of Parliamentary Rules

Moy commented on the adoption of Parliamentary Rules. Members deferred adoption of Parliamentary Rules to the next meeting.

Members discussed the election of a Vice Chair and the Advisory Committee.

5. Authority Meeting Schedule and Items for Next Meeting

Members discussed the Governing Board's meeting schedule and decided to meet quarterly. The next meeting was scheduled for Wednesday, July 29, 2009, 1:00 PM, at a location to be determined. The Chair directed staff to include the Advisory Committee, financing options, and the selection of a Vice Chair on the agenda for the next Governing Board meeting.

6. Public Comment

David Lewis, Executive Director, Save The Bay, commended the Governing Board on its future work on restoration of the San Francisco Bay and offered Save The Bay's assistance to the Authority. He reported on the findings of Save The Bay on public awareness and support, and noted the Authority's ability to collect revenue and to award grants. He encouraged the Governing Board to invite all to participate in its work and to ensure transparency. He presented the Chair with a signed copy of Assembly Bill No. 2954.

7. Adjournment

Moy announced that Governing Board members are to file with the Clerk their assuming office Form 700 within 30 days of the first meeting. He requested that those interested in receiving notice of the Authority's meetings and business submit their email addresses to the Clerk.

The Governing Board meeting adjourned at 3:48 p.m. The next Governing Board meeting is on July 29, 2009, 1:00 p.m.

Submitted by the Clerk of the Governing Board
July 15, 2009

Approved by the Governing Board
July 29, 2009

San Francisco Bay Restoration Authority

Date: July 15, 2009

To: Governing Board
San Francisco Bay Restoration Authority

From: Judy Kelly, Director, San Francisco Estuary Partnership
Amy Hutzler, Regional Manager, California State Coastal Conservancy

Re: **Selection of Authority Logo**

Attachment: (A) Logo graphics

Summary

The Governing Board (Board) should select a logo. Once selected, the logo will be preliminarily used on San Francisco Bay Restoration Authority (Authority) letterhead and in connection with Authority business while staff from the Association of Bay Area Governments (ABAG) pursues Servicemark Certification.

Discussion

ABAG and California State Coastal Conservancy (Conservancy) staff worked with a volunteer graphic designer to arrive at three possible logos for use by the Authority (Attachment A). This memo will refer to the topmost design as 'Hands', the middle design as 'Sun', and the bottom design as 'Heron'. The logo will be used by the Authority to brand its activities.

The Authority should secure exclusive use of the logo by applying to the U.S. Department of Patents and Copyright for registration of the logo as the Authority's servicemark. To initiate the process, the Authority needs to put the proposed logo into use on published and printed materials. Once this is done, ABAG will submit a servicemark application on behalf of the Authority. The process will take up to a year, as the logo is vetted for possible confusion, or competition, with another servicemark.

To guide the Board in its selection, please know that preliminary review of the Department of Patents and Copyrights' website indicates that the Hands logo is least

Selection of Authority Logo

July 15, 2009

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likely to generate any confusion or competition and the Heron logo is the most likely with the Sun logo falling between the two.

Requested Actions

1. Select logo.
2. Authorize use in connection with Authority published materials and activities.
3. Authorize submission of servicemark application.



SAN FRANCISCO BAY
RESTORATION AUTHORITY

SAN FRANCISCO BAY
RESTORATION AUTHORITY



San Francisco Bay
Restoration Authority

San Francisco Bay
Restoration Authority

San Francisco Bay Restoration Authority

Date: July 15, 2009

To: Governing Board
San Francisco Bay Restoration Authority

From: Kenneth Moy
Legal Counsel

Re: **Adoption of FPPC Conflict-of-Interest Code**

Attachments: (A) Resolution 3
(B) Conflict-of-Interest Code

Summary

At its last meeting the Governing Board authorized issuance of a 'Notice of Intention to Adopt a Conflict-of-Interest Code' and commencement of a forty-five day public comment period on the proposed code. The public comment period has ended and we have received no comments.

Requested Action

Adopt Resolution 3 (Attachment A), authorizing the Director of the Authority to forward the proposed code (Attachment B) to the Fair Political Practices Commission for its approval and to take all other actions reasonably necessary to conclude the process.

San Francisco Bay Restoration Authority

Resolution 3

Resolution authorizing submission of the proposed Conflict of Interest Code for the San Francisco Bay Restoration Authority to the Fair Political Practices Commission

Whereas, pursuant to Government Code Section 66703.1 members of the Authority's Governing Board (Board) are subject to California's Political Reform Act of 1974, Government Code Section 81000, et seq., and are required to adopt a Conflict of Interest Code (Code); and

Whereas, pursuant to Section 18750.1(c)(3), the Authority issued a Notice of Intention to Adopt a Conflict of Interest Code and opened a 45-day comment period to review the proposed Conflict of Interest Code, each effective as of April 22; and

Whereas, the comment period has closed and the Authority has received no comments on the proposed Conflict of Interest Code.

Now, Therefore, Be It Resolved that the Governing Board of the San Francisco Bay Restoration Authority authorizes the Director of the Authority to submit the Conflict of Interest Code for the Authority to the Fair Political Practices Commission for approval and to take all other actions reasonably necessary to complete the process.

Passed and adopted this 29th day of July, 2009.

Samuel Schuchat
Chair

Attest:

Frederick Castro
Clerk of the Governing Board

CONFLICT-OF-INTEREST CODE FOR THE
SAN FRANCISCO BAY RESTORATION AUTHORITY

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. Sec. 18730) that contains the terms of a standard conflict-of-interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix, designating positions and establishing disclosure categories, shall constitute the conflict-of-interest code of the San Francisco Bay Restoration Authority (Authority).

Individuals holding designated positions shall file their statements of economic interests with the Authority, which will make the statements available for public inspection and reproduction. (Gov. Code Sec. 81008.) All statements will be retained by the Authority.

APPENDIX A [RECOMMENDED VERSION]

<u>Designated Positions</u>	<u>Disclosure Categories</u>
Governing Board	All
Director*	All
Treasurer**	All
Legal Counsel	All
Consultant***	

* This position is held by the Executive Director, ABAG.

** This position is held by the Finance Director, ABAG.

*** Consultants shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The Director may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Director's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict-of-interest code (Gov. Code Section 81008).

San Francisco Bay Restoration Authority

Date: July 15, 2009

To: Governing Board
San Francisco Bay Restoration Authority

From: Judy Kelly, Director, San Francisco Estuary Partnership
Amy Hutzler, Regional Manager, California State Coastal Conservancy

Re: **Formation of Advisory Committee**

Summary

AB 2954 (Act) requires the San Francisco Bay Restoration Authority (Authority) Governing Board (Board) to convene an Advisory Committee. The Act lists a number of organizations that should be considered for membership on the Committee and also suggests naming residents of Bayside cities and counties.

Discussion

The San Francisco Estuary Partnership (ABAG) and California State Coastal Conservancy (Conservancy) staff developed a list of potential nominees. The list took into account the suggestions in the Act. We also identified individuals with significant financing expertise in the Bay Area and/or significant experience in wetlands restoration or associated flood management and public access.

A letter, signed by Sam Schuchat and Henry Gardner, was sent to each nominee asking for expressions of interest for consideration by the Board as an Advisory Committee member. A list of nominees who responded positively will be sent to each Board member by July 22, 2009.

The Board should review the individuals who have indicated an interest in serving on the Advisory Committee. The Board may also wish to recommend others who should be solicited. Staff will confirm that individuals suggested by the Board are interested in serving. We recommend a group of 20-25 individuals total.

Formation of Advisory Committee

July 15, 2009

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Staff will prepare letters to the final list of nominees advising them of the process and the Advisory Committee duties and responsibility. We suggest that the final decision on the composition of the Advisory Committee be made at the Board's next meeting.

The Authority currently has no funds to pay or reimburse Advisory Committee members for participating. The Board should state that participation is voluntary and uncompensated. The Board should also state that membership on the Advisory Committee is at the pleasure of the Board.

The Advisory Committee will require staff support by the Conservancy and ABAG to prepare materials for presentation to the Board. Conservancy and ABAG staff are prepared to provide reasonable assistance to the Advisory Committee.

Requested Actions

1. Review and finalize list of nominees for Advisory Committee.
2. Authorize letters to everyone on the list, describing their status and the details of service.
3. Set a date for the first Advisory Committee meeting.

Advisory Committee

San Francisco Bay Restoration Authority

List of Nominees for Advisory Committee
Responses as of July 22, 2009

Steve Abbors

General Manager
MidPeninsula Regional Open Space District

Stephen E. Abbors began his appointment as the District's new General Manager on April 14, 2008.

An East Bay native, Abbors earned his Bachelor's of Science and Master's of Arts degrees in Biological Sciences from California State University, East Bay. He began his professional career as a naturalist with the East Bay Regional Park District, and in 1984 accepted a position with the East Bay Municipal Utility District (EBMUD), the second largest water utility in the state. As Manager of Watershed and Recreation, he guided decisions regarding land management and restoration, acquisition, and recreational use for 28,000 acres in the East Bay.

Dion Aroner

Partner
Aroner, Jewel & Ellis

Dion Aroner is a nationally recognized expert on the California state budget and issues concerning human services. She represented the cities of Richmond, Albany, Berkeley, Emeryville and Oakland in the State Assembly from 1996 2002. She served as Chief of Staff to her predecessor, Tom Bates, where she became an undisputed expert on welfare reform, foster care, and realignment. During her tenure as Assemblywoman, she authored groundbreaking legislation on welfare and foster care reform, as well as local government finance, school finance, juvenile justice, transportation, and child care. She was appointed by the Assembly Speaker as Democratic Caucus Chair during the last two years of her time in the Assembly.

Cindy Chavez

Executive Officer
South Bay Labor Council

Cindy Chavez attended San Jose State University, where her love of politics and commitment to community led her to a career in public service.

Directly after graduating from San Jose State University, Chavez became active in the San Jose community. She worked as a budget and policy aide on health, human services and transportation issues at the Board of Supervisors. Four years later, Chavez joined the South Bay Labor Council as Staff Director. During her tenure there, she helped to create and lead Working Partnerships USA; a collaboration between business and civic groups on issues affecting working families

Advisory Committee

San Francisco Bay Restoration Authority

List of Nominees for Advisory Committee
Responses as of July 22, 2009

Patrick Congdon

General Manager
Santa Clara County Open Space Authority

The Santa Clara County Open Space Authority has preserved 14,494 acres since the mid-1990s for hiking, biking, horse-riding and wildlife habitat, including land around Calero Reservoir, adjacent to Alum Rock Park and near Henry Coe State Park. It also has made grants to cities for bike paths and urban parks.

Darbee earned his Bachelor's degree in Economics from Dartmouth College and an M.B.A. from the Amos Tuck School of Business at Dartmouth. He has also successfully completed the Nuclear Reactor Technology Program at the Massachusetts Institute of Technology.

Darbee is a Director of PG&E Corporation and Pacific Gas and Electric Company. He also is a member of the California Business Roundtable, the Financial Executives Institute, and is on the Board of the Committee on JOBS.

Grant Davis

Assistant General Manager
Sonoma County Water Agency

Grant Davis is responsible for management activities related to the Agency's core functions of water delivery, wastewater management, flood protection, and environmental sustainability. Prior to joining the Agency, Mr. Davis was Executive Director of The Bay Institute, a respected science based nonprofit, dedicated to protecting the San Francisco Bay Delta Watershed and improving water management in California. Mr. Davis also worked for Congresswoman Lynn Woolsey and was also an aide to State Senator Milton Marks.

Mr. Davis currently serves on the University of California President's Advisory Commission for the Division of Agriculture and Natural Resources. He was a member of the Governor of California's Water Plan Advisory Commission, Chair of the San Francisco Bay Joint Venture and Vice Chair of the Bay Area Water Forum. Mr. Davis received his BA in Political Science from the University of California at Berkeley.

Ann Draper

Santa Clara Valley Water District

Ann Draper is currently Assistant Operating Officer at Santa Clara Valley Water District. Prior to that position; she was Watershed Programs Assistant Officer at the District. Before SCVWD, she was Planning Director for Santa Clara County Planning, supervising long-range policy planning and implementing strategies, including land-use and zoning administrative functions. In addition to her five years with the Planning Office, Draper's extensive experience includes 10 years with the City of Sunnyvale, 10 years with the City of Fremont, and three years with the City of Santa Clara.

Advisory Committee

San Francisco Bay Restoration Authority

List of Nominees for Advisory Committee
Responses as of July 22, 2009

Draper earned a Bachelor's degree in Geography with a Minor in Environmental Studies from the University of California, Santa Barbara, and a Master's degree in Urban Planning from San Jose State University.

Beth Huning

SFBJV Coordinator
San Francisco Bay Joint Venture

Beth Huning is the Coordinator of the San Francisco Bay Joint Venture, a public-private partnership to acquire, restore and enhance wetlands. She has worked for more than 20 years to promote conservation and restoration of wetlands in the Bay area and throughout the West. She holds a B.A. in Geography and is a Fellow with Stanford University's Center for Social Innovation, Graduate School of Business.

Ellen Johnck

Executive Director
Bay Planning Coalition

Ellen Johnck has been with the Bay Planning Coalition for nearly two decades and is active in the SFEP management committee. She represents the port interests and maritime industry and is interested in serving on the Advisory Committee.

Johan Klehs

Johan Klehs grew up in San Leandro, He attended California State University Hayward .

Mr. Klehs served for 12 years in the State Assembly until 1994, when he was elected to the Board of Equalization. He was re elected in 1998. Mr. Klehs served years as Chair of the Board of Equalization and served on the Franchise Tax Board.

David Lewis

Executive Director
Save The Bay

As Executive Director of Save The Bay, David Lewis has been San Francisco Bay's top advocate for more than a decade. David was born and raised in the Bay Area. Prior to joining Save The Bay, he devoted 14 years to work for nuclear arms control in Washington, D.C., including in the U.S. Senate, and also worked on election campaigns across the country.

Sally Lieber

Sally Lieber was the sponsor of AB 2954 and advocate for the Authority concept from 2007. She was termed out of the State Assembly in 2008 and is currently serving as a community advocate.

Advisory Committee

San Francisco Bay Restoration Authority

List of Nominees for Advisory Committee
Responses as of July 22, 2009

Sally Lieber was elected to the California State Assembly in November 2002 to represent the 22nd Assembly District. Before her election to the State Assembly, Sally served as a Councilwoman and Mayor of the City of Mountain View and as a Santa Clara County Commissioner.

She has been active in a number community organizations including serving as a Board member of the League of Women Voters, the American Association of University Women, the National Women's Political Caucus and the YWCA.

Cynthia Murray

President & CEO

North Bay Leadership Council

Cynthia Murray is the President and CEO of North Bay Leadership Council (NBLC). NBLC represents employers located in Sonoma and Marin Counties who are working together for regional prosperity and quality of life.

Recently retired from the Marin County Board of Supervisors, Murray represented North Marin for eight years. As Supervisor, Cynthia's top priorities were improving mobility and reducing congestion, balancing a healthy economy with a healthy environment, ensuring the well being and quality of life for seniors and those living with disabilities, and protecting public safety.

Prior to becoming Supervisor, Murray served seven years on the Novato City Council, including one term as Mayor. During her tenure with the City, she headed the conversion of Hamilton Army Air Field from military ownership to private hands, and worked on the development of the Hamilton Master Plan.

She chairs the Bay Area Water Forum, Murray is on the Bay Area Economic Forum Board; the Bay Area Council's Water Committee, Transportation Committee and Goods Movement Committee as well as a member of Bay Biz, a consortium of business organizations in the Bay Area.

Pat O'Brien

General Manager

East Bay Regional Park District

Pat O'Brien has been General Manager of the Regional Park District since 1988. Prior to joining the East Bay Regional Park District, Mr. O'Brien was General Manager of Southgate Recreation and Park District in Sacramento, California from 1980 to 1988 managing that District's urban and rural parkland areas in Sacramento County. Mr. O'Brien has shown his legislative skills, including the passage of Prop 12: California State Park Bond Act in 1999 and numerous other park and senior related legislative efforts. He holds a Master's Degree in Linguistic Philosophy and a Bachelor's Degree in Philosophy and Recreation Administration from San Francisco State University.

Advisory Committee

San Francisco Bay Restoration Authority

List of Nominees for Advisory Committee
Responses as of July 22, 2009

Curt Riffle

Program Operations Manager, Conservation and Science
The David and Lucile Packard Foundation

Curt Riffle was born in 1955 in Warren, Ohio. He earned a Bachelor of Science degree in Mechanical Engineering from the University of Cincinnati, and a Master's degree in Business Administration from Harvard University.

In 2006, Riffle was appointed to the Board of Directors and began duties as the Ward 4 Director. He currently works for the David and Lucile Packard Foundation in the Conservation and Science Program that focuses on the purchase of land and application of ecosystem-based management principles. He is a conservation professional dedicated to public service, with over 20 years of successful experience serving on committees, commissions, and boards, including roles as a traffic commissioner for the City of Los Altos, and chair of both the City's Bicycle and Pedestrian Advisory Committee and Environmental Committee. He also donated his time to the District as a Special Project Volunteer.

Packard Foundation bio: Riffle joined the Foundation in 2003. He is currently program operations manager where he oversees the day to day operations of the Conservation and Science Program, manages a portion of the program's staff, and is responsible for the program's PRI monitoring and evaluation. He also manages the communications activities of the program and the program's strategic opportunities and local grant-making activities.

Prior to joining the Foundation, he worked for the Hewlett-Packard Company for 18 years. While at HP, he worked in product line management, business operations management, and business strategy development.

Patrick Rutten

Implementation Team Chair
NOAA Restoration Center

Pat Rutten, a marine biologist, Pilarcitos Lagoon Committee co-chair, and National Oceanic and Atmospheric Administration southwest regional supervisor, has extensive background in restoration activities and fishery policy and is a senior manager with NOAA.

Bob Spencer

Robert Spencer is a recent past Principal Consultant at Willdan Financial Services (formerly Muni Financial) in Oakland and has more than 15 years of financing and consulting experience with local agencies throughout California. He is an economist with extensive experience assisting public agencies with the development of sound financial and economic policies. Much of his work is related to public services funding to serve a community's growth or revitalization. Mr. Spencer was a member and President of the Oakland Board of Education in the late 1990's and remains actively involved in Oakland education reform. He is a member and past President

Advisory Committee

San Francisco Bay Restoration Authority

List of Nominees for Advisory Committee
Responses as of July 22, 2009

of the Board of Trustees of the William H. Donner Foundation Mr. Spencer holds a Masters of Public Policy, Kennedy School of Government, Harvard University, and a Bachelor of Arts in Economics, Colorado College.

Mendel Stewart

Project Leader

Don Edwards San Francisco Bay National Wildlife Refuge

Mendel Stewart holds a Bachelor of Science from Western Kentucky University and a Master of Public Administration degree from the University of Memphis. Mendel has worked for the U.S. Fish and Wildlife Service for over 21 years in several capacities. From 2000 to 2005, Mendel was the Manager of the San Diego National Wildlife Refuge Complex and in June 2005 he became Project Leader of the San Francisco Bay National Wildlife Refuge Complex.

Laura Thompson

Project Manager

SF Bay Trail Project

Laura Thompson is the manager of ABAG's San Francisco Bay Trail Project, responsible for coordinating the completion of a 500-mile continuous shoreline hiking and bicycling trail around San Francisco and San Pablo Bays. She has been a voice for shoreline public access for ten years, working to advance Bay Trail segments through urban areas and as part of wetland restoration projects. Ms. Thompson co-authored a book, Trail Planning for California Communities, scheduled for publication by Solano Press in August 2009. Prior to her work on the Bay Trail Project, she worked as a planner with the San Mateo County Planning Division. Ms. Thompson has an undergraduate degree in Political Science from Miami University and received her Masters of Urban Planning and Policy from the University of Illinois in Chicago.

Will Travis

Executive Director

San Francisco Bay Conservation and Development Commission

Will Travis holds Bachelor of Architecture and Master of Regional Planning degrees from Penn State University. From 1970 to 1972 he served as BCDC's first Bay Development Design Analyst. He then spent 12 years with the California Coastal Commission where he held a number of positions, including heading the agency's offshore oil drilling permit staff, directing its public access program, and overseeing its budget and administrative functions. He returned to BCDC in 1985 as Deputy Director. He was appointed Executive Director in 1995.

He serves on the board of trustees of the Bay Area Council Economic Institute, the board of directors of the San Francisco Planning and Urban Research Association (SPUR), the management committee of a Joint Policy Committee of four regional agencies.

San Francisco Bay Restoration Authority

Date: July 15, 2009

To: Governing Board
San Francisco Bay Restoration Authority

From: Judy Kelly, Director, San Francisco Estuary Partnership
Amy Hutzler, Regional Manager, California State Coastal Conservancy

Re: **San Francisco Foundation Grant Application Submission**

Attachment: (A) Grant application

Summary

A grant application (Attachment A) has been submitted on behalf of the San Francisco Bay Restoration Authority to the San Francisco Foundation, seeking funds for research on the feasibility of specific funding mechanisms, and where in the Bay Area those mechanisms could be successfully implemented.

Discussion

ABAG and Conservancy staff submitted a grant application to the San Francisco Foundation which is being considered for funding from their San Francisco Bay Fund Initiative.

In 1999, The San Francisco Foundation accepted a \$3,875,000 payment from a settlement of a lawsuit related to Selenium releases to the Bay and designed the San Francisco Bay Fund Initiative to:

- support the synthesis of scientific data and identify research gaps to guide science-based San Francisco Bay-Estuary decision-making and management;
- promote the establishment of sustainable, long-term water quality monitoring methods;
- explore ways to link grassroots groups with current scientific knowledge and increase the capacity of these groups to impact significant restoration efforts; and

San Francisco Foundation Grant Submission

July 15, 2009

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- identify and build relationships with other compatible funding organizations to maximize the use of funds and expand impact in restoring and protecting the Bay and Delta.

This year marks the last year of funding from the San Francisco Bay Fund Initiative and the San Francisco Foundation worked with several partners, including the Conservancy and Save The Bay, to determine the best way to spend the remaining funds. Instead of a general Request for Proposals, as has been done each year, the San Francisco Foundation decided to invite a small number of entities to submit proposals for specific projects.

The San Francisco Foundation requested a proposal from the San Francisco Bay Restoration Authority for research on the feasibility of specific funding mechanisms the Authority could employ, and where in the Bay Area those mechanisms could be successfully implemented. Attached is the proposal that was submitted to the San Francisco Foundation, requesting \$100,000.

At this point, Conservancy and ABAG staff recommend that the Board authorize acceptance of the grant. If the grant is approved by the San Francisco Foundation, Conservancy and ABAG staff will return to the Board at their next meeting with recommendations for disbursement of the grant funds.

Requested Actions

1. Authorize/ratify submission of the grant application.
2. Authorize acceptance of a grant from the San Francisco Foundation.
3. Authorize Conservancy and ABAG staff to negotiate any necessary agreements to accept the grant funds.

Recipient: San Francisco Bay Restoration Authority

Contact: Amy Hutzal, State Coastal Conservancy
ahutzal@scc.ca.gov, 510-286-4180

Research Project: Feasibility Assessment of Specific Local Funding Mechanisms for Bay Wetland Restoration

Summary

The San Francisco Bay Restoration Authority (Authority) is a new regional special district. It has been established to raise local funds for San Francisco Bay wetland restoration projects and associated flood management and public access, and then grant those funds to projects that advance the *Baylands Ecosystem Habitat Goals*, and are consistent with the priorities of the San Francisco Bay Area Conservancy, the Bay Conservation and Development Commission’s coastal management plan, and the San Francisco Bay Joint Venture’s Implementation Strategy.

The Authority’s Board of Directors held its first meeting on Earth Day, April 22, 2009. The Chair of the Authority’s Board is Sam Schuchat, who is Executive Director of the State Coastal Conservancy. The Association of Bay Area Governments and State Coastal Conservancy are providing staff support to the Authority. However, the Authority does not have start-up funds to complete essential research on the feasibility of specific funding mechanisms, and where in the Bay Area those mechanisms could be successfully implemented. The Authority is a public agency, and is explicitly authorized in statute to solicit and accept gifts, fees, grants, and allocations from public and private entities.

Background

The San Francisco Bay Restoration Authority was established by the passage of Assembly Bill 2954 in 2008, in response to recommendations made in Save The Bay’s report, *Greening the Bay: Financing Wetlands Restoration in San Francisco Bay* (2007). The Authority is a regional special district, with the power to propose local funding measures and grant funds raised to projects that restore Bay wetlands, and to support public access and flood management in connection with those restoration projects. The Authority’s Board of Directors held its first meeting on Earth Day, April 22, 2009 (see Board list below).

The authority is a regional special district, not a state agency. It was established without any initial funding for its operations from the state or other sources. Future operations may be funded through a small percentage of income from approved assessments or taxes, but those are not yet in place. The Authority is explicitly authorized to apply for and receive funds from public and private entities.

Governing Board

Chair: Samuel Schuchat, Executive Officer, California State Coastal Conservancy
(510) 286-4185

West Bay: **Phil Ting**, Assessor Recorder, City and County of San Francisco

East Bay: **John Gioia**, Supervisor, County of Contra Costa

North Bay: **Charles McGlashan**, Supervisor, County of Marin

South Bay: **Rosanne Foust**, Mayor, City of Redwood City

Bayside City/County: **Dave Cortese**, Supervisor, County of Santa Clara

Bayside City/Park District: **John Sutter**, Director, East Bay Regional Park District

Proposed Project Furthers Bay Fund Goals

Wetlands are the lungs of the Bay, providing habitat and giving life to hundreds of fish and wildlife species and billions of small organisms that thrive in Bay mud to form the base of the food chain. Wetlands provide major benefits to the community including improved water quality, natural flood control from storm surges and sea level rise, open space and recreation.

In the *Baylands Ecosystem Habitat Goals*, scientists recommend that 100,000 acres of tidal wetlands be re-established for a healthy and sustainable Bay. In 1999 when the report was published, there were only about 40,000 acres of tidal wetlands remaining around the Bay. Today, about 13,000 acres of wetlands have been restored and over 36,000 more acres of restorable Bay shoreline is in public ownership and proposed for restoration. The ambitious 100,000 acre goal is in sight. However, one of biggest barriers to achieving this goal is consistent, long-term funding to restore the wetlands.

The Authority's charter is to generate and allocate resources for the protection and enhancement of tidal wetlands in the Bay. Investing in the Authority's feasibility assessment for future action directly furthers the Bay Fund's goal to improve the long-term sustainability of the Bay by ensuring progress on restoring 100,000 acres of tidal marsh wetlands. This project will build the Authority's capacity to embark on its mission of raising funds to impact significant restoration efforts. In addition, this project closely aligns with the Fund's proposed focus for the final cycle on advancing restoration projects connected to established habitat conservation goals and broader restoration efforts in the region.

Proposed Project Scope

\$100,000 from the Bay Fund could leverage resources that are greater by several orders of magnitude in the following years. The Bay Fund investment would allow the Authority to complete research over the next six to twelve months on the best funding mechanisms and geographic locations to propose to local residents for their approval. This pathway can lead to much larger sums of local public funding flowing steadily into the Authority, which can then grant them to support Bay wetland restoration over the next two decades.

Bay Fund resources would be used by the Authority to pursue this research by engaging technical advice from consultants with expertise in the relevant statutes, municipal finance, and survey research, including:

- Match priority restoration project needs by sub-region with potential funding mechanisms
- Analyze property base, ownership and voter statistics in the nine-county region of the Authority's jurisdiction, and sub-regions
- Identify preferred funding measure through survey research
- Analyze timing and resources necessary to pass funding mechanisms.
- Identify state and federal matching fund opportunities to potential local funding streams
- Identify legal and procedural requirements for preferred funding mechanisms and public finance opportunities and constraints
- Offer recommendations for implementation by the Authority's Governing Board.

Project and Organizational Budget

In 2009, the Authority will have the opportunity to direct research into various strategic approaches to securing long-term consistent funding for wetland restoration. In 2009, we anticipate needing up to \$200,000 to complete the required analysis, research and administration to define the Authority’s specific work plan for the next several years. The 2009 project proposal is as follows:

2009 San Francisco Bay Restoration Authority Budget								
Survey Research	\$90,000	Identify preferred funding measure through survey research; analysis of property base, ownership and voter statistics in the nine-county region of the Authority’s jurisdiction, and sub-regions						
Professional Consulting	\$50,000	Research, analysis of funding options, perhaps by professional firm; legal consultation						
Administration	\$60,000	Includes Board support, legal compliance, contract administration, clerical, Website development, and supplies. Some portion of these functions may be provided by the Association of Bay Area Governments, State Coastal Conservancy or other organization.						
Total Expense	\$200,000							

Also included are two *projected* 5-year income and expense organizational budgets based on potential strategic approaches. Income and expense projections for these scenarios come from a preliminary funding options report from SCI Consulting Group, Inc. commissioned by Save The Bay. This report will be submitted to the Authority in final form at its July 29, 2009, meeting.

Scenario 1 is based on the Authority pursuing a regional 9-county parcel tax.

Scenario 2 is based on proposing a parcel tax on a county-by-county basis. In this scenario, for illustrative purposes, we have focused on proposing a parcel tax for the counties that are home to the South Bay Salt Pond Project.

These two sample organizational budgets assume that the Authority will propose funding mechanisms in 2010. A more likely scenario may be proposing a funding mechanism to voters in 2012. The Authority’s final organizational budget will depend on the Governing Board’s approval of which finance options to pursue, geographic focus, timing, and the resources necessary to propose various mechanisms. These decisions will be made based on large part from the research outlined in this proposed scope of project.

SAN FRANCISCO BAY FUND – PROPOSED PROJECT

San Francisco Bay Restoration Authority		SCENARIO ONE: Projected 5-Year Income and Expense Budget - 9-County Regional Vote					
INCOME		2009	2010	2011	2012	2013	TOTAL
	No. of Taxable Parcels						
Option One							
	9-County Parcel Tax at \$4/Parcel	\$0	\$0	\$6,964,000	\$6,964,000	\$6,964,000	\$20,892,000
Option Two							
	9-County Parcel Tax at \$8/Parcel	\$0	\$0	\$13,928,000	\$13,928,000	\$13,928,000	\$41,784,000
Option Three							
	9-County Parcel Tax at \$15/Parcel	\$0	\$0	\$26,115,000	\$26,115,000	\$26,115,000	\$78,345,000
EXPENSE							
		2009	2010	2011	2012	2013	TOTAL
	Survey Research	\$90,000	\$0	\$0	\$0	\$0	\$90,000
	9-County Election*	\$0	\$10,265,345	\$0	\$0	\$0	\$10,265,345
	Professional Consulting	\$50,000	\$500,000	\$0	\$0	\$0	\$550,000
	Administration**	\$60,000	\$63,000	\$66,000	\$69,500	\$73,000	\$331,500
	Total Expense	\$200,000	\$10,828,345	\$66,000	\$69,500	\$73,000	\$11,236,845
* Per-county election cost high estimate by SCI Consulting. Note that it is possible that some, or even all, of the counties would choose to allow the Authority to add its measure to the General Election ballot at no cost.							
** Includes Board support, legal compliance, contract administration, clerical, Website development, and supplies. Most of these functions will be provided by the Association of Bay Area Governments and State Coastal Conservancy.							

SAN FRANCISCO BAY FUND – PROPOSED PROJECT

San Francisco Bay Restoration Authority		SCENARIO TWO: Projected 5-Year Income and Expense Budget - County-by-County Vote (South Bay Salt Pond Restoration Focus)					
INCOME	No. of Taxable Parcels	2009	2010	2011	2012	2013	TOTAL
Option One: \$4 Parcel Tax							
Santa Clara County	383,000	\$0	\$0	\$1,532,000	\$1,532,000	\$1,532,000	\$4,596,000
Alameda County	353,000	\$0	\$0	\$0	\$0	\$1,412,000	\$1,412,000
Total Income		\$0	\$0	\$1,532,000	\$1,532,000	\$2,944,000	\$6,008,000
Option Two: \$8 Parcel Tax							
Santa Clara County	383,000	\$0	\$0	\$3,064,000	\$3,064,000	\$3,064,000	\$9,192,000
Alameda County	353,000	\$0	\$0	\$0	\$0	\$2,824,000	\$2,824,000
Total Income		\$0	\$0	\$3,064,000	\$3,064,000	\$5,888,000	\$12,016,000
Option Three: \$15 Parcel Tax							
Santa Clara County	383,000	\$0	\$0	\$5,745,000	\$5,745,000	\$5,745,000	\$17,235,000
Alameda County	353,000	\$0	\$0	\$0	\$0	\$5,295,000	\$5,295,000
Total Income		\$0	\$0	\$5,745,000	\$5,745,000	\$11,040,000	\$22,530,000
EXPENSE							
Survey Research		\$90,000	\$0	\$0	\$0	\$0	\$90,000
Santa Clara County Election*		\$0	\$3,180,596	\$0	\$0	\$0	\$3,180,596
Alameda County Election*		\$0	\$0	\$0	\$547,360	\$0	\$547,360
Professional Consulting		\$50,000	\$250,000	\$0	\$250,000	\$0	\$550,000
Administration**		\$60,000	\$63,000	\$66,000	\$69,500	\$73,000	\$331,500
Total Expense		\$200,000	\$3,493,596	\$66,000	\$866,860	\$73,000	\$4,699,456

* Per-county election cost high estimate by SCI Consulting. Note that it is possible that some, or even all, of the counties would choose to allow the Authority to add its measure to the General Election ballot at no cost.

** Includes Board support, legal compliance, contract administration, clerical, Website development, and supplies. Most of these functions will be provided by the Association of Bay Area Governments and State Coastal Conservancy.

Governing Board

San Francisco Bay Restoration Authority

MEETING SCHEDULE (PROPOSED)

Quarterly, on the fourth (4th) Wednesday of the month
1:00 p.m. to 2:00 p.m.

Meeting Location:
MetroCenter, Auditorium
101 8th Street, Oakland, California 94607

For additional information, please contact:
Clerk of the Governing Board, (510) 464 7910

Agenda and attachments available at:
www.sfbayrestore.org

2009

Wednesday, April 22, 2009

Wednesday, July 29, 2009

Wednesday, October 28, 2009

2010

Wednesday, January 27, 2010

Wednesday, April 28, 2010

Wednesday, July 28, 2010

Wednesday, October 27, 2010