San Francisco Bay
Restoration Authority

Governing Board

AGENDA (REVISED)

Wednesday, July 28, 2010
12:00 p.m. to 2:00 p.m.

Meeting Locations:
California State Coastal Conservancy
1330 Broadway, 11th Floor Conference Room
Oakland, California 94612

4221 Littleworth Way, San Jose, California 95135

For additional information, please contact:
Clerk of the Governing Board, (510) 464 7900

Agenda and attachments available at:
www.sfbayrestore.org

1. **Call to Order**
   Action
   Sam Schuchat, Executive Officer, California State Coastal Conservancy

2. **Roll Call**

3. **Public Comment**

4. **Announcements**

5. **Approval of Summary Minutes of April 28, 2010**
   Action
   Attachment: Summary Minutes for April 28, 2010

6. **Organizational Matters**

   A. **Report on the Advisory Council—Completion of Formation Update**
      Action
      John Gioia, Supervisor, Contra Costa County, and Melanie Denninger, Project Specialist, San Francisco Bay Area Program, California State Coastal Conservancy
      Attachment: Gioia memo dated July 13, 2010

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B. Report on Status of Public Opinion Polling
Information
Karen McDowell, Environmental Planner, San Francisco Estuary Partnership
Attachment: McDowell memo dated July 21, 2010

C. Report on Legislation Changes to AB 2954
Information
Sam Schuchat, Executive Officer, California State Coastal Conservancy
Attachment: Ruddock/Denninger memo dated July 21, 2010

D. Preliminary Report on Bay Area Ballot Measures in 2012
Information
Sam Schuchat, Executive Officer, California State Coastal Conservancy
Attachment: To be sent under separate cover

7. Adjournment

Agenda submitted by the Clerk of the Governing Board:
July 21, 2010

Agenda posted:
July 27, 2010

San Francisco Bay
Restoration Authority

Governing Board

DRAFT SUMMARY MINUTES

Wednesday, April 28, 2010
12:00 p.m. to 2:00 p.m.

Meeting Location:
California State Coastal Conservancy
1330 Broadway, 11th Floor Conference Room
Oakland, California 94612

For additional information, please contact:
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1. **Call to Order**

   Sam Schuchat, Chair, called the meeting to order at about 12:11 p.m.

2. **Roll Call**

   Frederick Castro, Clerk, reported that four of seven members were present. A quorum of the Governing Board was present.

   Present were Sam Schuchat, Charles McGlashan, John Sutter, Phil Ting. Absent were Dave Cortese, Rosanne Foust, and John Gioia.

3. **Public Comment**

   There was no public comment.

   Ken Moy, Legal Counsel, informed the Chair that the senior staff members of the Association of Bay Area Governments regret their absence due to conflicting schedules. Henry Gardner, Executive Director, was in transit back from an out-of-state conference.

4. **Announcements**

   There were no announcements.

5. Approval of Summary Minutes of January 27, 2010

A motion to approve the summary minutes of the Governing Board meeting on January 27, 2010, was made by Sutter and seconded by McGlashan. The motion passed unanimously.

6. Organizational Matters

A. Report on Selection of Public Opinion Polling/Research Firm

McGlashan reported that the Subcommittee on the Selection of the Polling Committee met and selected FM3 to conduct the public opinion polling for the Authority. Schuchat reported that 17 applications were received and five were reviewed by the Subcommittee. Moy stated that a consultant contract will be drafted to include a scope of work which will be reviewed by staff and FM3. Sutter commented on the importance of having a firm with experience in polling regarding state bonds and other funding sources.

B. Report and Action on the San Francisco Bay Improvement Act of 2010 (Speier)

Sam Schuchat, Executive Officer, California State Coastal Conservancy , reported on the San Francisco Bay Improvement Act of 2010 sponsored by Congresswoman Jackie Speier which has the support of many non-governmental organizations. He stated that the revenue the Act would provide for restoration projects in the San Francisco Bay Area would be up to $100 million annually for ten years.

Members discussed the interface between the Bay Program Advisory Committee suggested by Act and the Authority; Gioia and Judy Kelly, Director, San Francisco Estuary Partnership, testifying in support of the Act; opposition to the Act; requesting that the Chair serve on the committee suggested by the Act.

Stephen Knight, Political Director, SaveTheBay, recommended that the Authority support the Act and described the Authority's role to leverage funds and its interaction with the SFEP, EPA, the Coastal Conservancy and ABAG.

A motion to support the San Francisco Bay Improvement Act of 2010 and to direct staff to send a letter of support to the bill sponsor was made by McGlashan and seconded by Ting. The motion passed unanimously.

C. Report on Legislation Changes to AB 2954

Sam Schuchat, Executive Officer, California State Coastal Conservancy, reported on AB 2103 (Hill) that would amend AB 2954 to clarify ballot initiatives, i.e., that a ballot initiative in the nine-county Bay Area will need a two-thirds or majority aggregate vote in the nine counties to pass. He reported on meetings with the bill sponsor to discuss other fixes to AB 2954.

Members discussed the likely support and opposition to the bill; voting thresholds; rules on word count with regards to local Registrars; and further efforts to clarify AB 2954.

D. Report on the Advisory Committee—Completion of Formation

Moira McEnespy, Deputy Program Manager, San Francisco Bay Area Program, California State Coastal Conservancy, reported on the status of completing the formation of the Advisory Committee.

Members discussed the Advisory Committee membership as described in the legislation; the need for membership to reflect regional diversity; the deadline for forming the Advisory Committee; the role of the Advisory Committee in regards to the public opinion polling; the selection of a Advisory Committee chair; and providing a briefing to newly appointed Advisory Committee members.

Members set a deadline of June 1 to have any additional nominations submitted and discussed having the Subcommittee on the Advisory Committee meet to consider additional appointments to the Advisory Committee.

7. Adjournment

Castro will mail business cards to Governing Board members.

Moy informed the Governing Board of communications from the Federal Patent and Trademark Office regarding the Authority's logo.

The Governing Board meeting adjourned at 12:35 p.m.

The next Governing Board meeting is on July 28, 2010.

Submitted by the Clerk of the Governing Board
July 12, 2010

Approved by the Governing Board

BIOGRAPHIES OF PROPOSED ADDITIONAL APPPOINTEES TO THE
ADVISORY COMMITTEE OF THE SAN FRANCISCO BAY RESTORATION AUTHORITY

July 13, 2010

Joshua Arce
Executive Director
Brightline Defense Project

Joshua Arce is the Executive Director of Brightline Defense Project, a San Francisco-based civil rights advocacy non-profit organization. Mr. Arce founded Brightline in 2005 with the proceeds of a settlement in an anti-Latino employment discrimination case, bringing to the organization his experience as a civil litigator in matters ranging from tenants rights to equality in the workplace.

In 2007, Mr. Arce and Brightline broadened their scope to include work on environmental justice issues in San Francisco's low-income, mostly minority neighborhoods of Bayview-Hunters Point and Potrero. Partnering with a diverse group of organizations including Latino Issues Forum, the Ella Baker Center for Human Rights, the A. Philip Randolph Institute, Sierra Club, and Environmental Defense, Brightline fought to successfully halt the construction of $273 million worth of new fossil fuel-burning power plants in and around San Francisco's environmental justice communities. For Brightline's effort, Mr. Arce received a proclamation from San Francisco Gavin Newsom declaring March 26, 2009 "Brightline Defense Project Day" in San Francisco.

Mr. Arce continues to work with both advocates and energy stakeholders to find ways to ease the historically disproportionate burden that energy generation has placed on low-income people of color. Most recently, he has pushed Brightline's commitment to community sustainability and empowerment to address green workforce development issues on major infrastructure investments.

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. During her tenure as Assemblywoman, Ms. Aroner 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. Prior to her election to the Assembly, Ms. Aroner served as Chief of Staff to her predecessor, Tom Bates, where she became an undisputed expert on welfare reform, foster care, and realignment.

Sally Lieber
Community Advocate

Sally Lieber was the sponsor of AB 2954, the legislation that created the SF Bay Restoration Authority and advocated for the Authority concept from 2007. She was termed out of the State Assembly in 2008 and is currently serving as a community advocate. Ms. Lieber was elected to the California State Assembly in November 2002 to represent the 22nd Assembly District. Before her election to the State Assembly, She served as a Councilwoman and Mayor of the City of Mountain View and as a Santa Clara County Commissioner.

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

Steve Ngo
Trustee
San Francisco Community College District

Steve Ngo was elected citywide to the San Francisco Community College District Board of Trustees in November 2008, becoming the first Vietnamese American elected to public office in the City and County of San Francisco. The District is one of the largest in the nation and serves over 100,000 students. As a Trustee, Mr. Ngo has worked to reduce the impact on students of state budget cuts, increasing local hiring for construction projects, creating job opportunities during the recession, and address the District's structurql deficit.

Mr. Ngo's commitment to civil rights and education is rooted in his family's refugee experience. After fleeing Vietnam for the United States, his mother worked in the service industry as a waitress and nail salon technician in New Orleans, Louisiana. After 20 years, she eventually opened her own nail salon business. His father took jobs as a busboy, roofer, and chef, and later attended community college to become an auto body repair technician. Mr. Ngo's mother only had a third grade education and his father only completed the eighth grade, but in America they were able to build a better life through hard work and vocational education.

Mr. Ngo became an attorney and practiced election law and civil litigation, representing individuals in negligence and employment discrimination cases, before winning office. Previously, he was a budget consultant for the California State Assembly Budget Committee, where he advised legislators on $3.1 billion worth of spending proposals. He served in state government as a recipient of the Jesse M. Unruh Assembly Fellowship. He continued his public service as a law clerk for the California Attorney General's Energy Task Force, a specially formed group that pursued price gouging and other unfair business practices claims.

Mr. Ngo continues to practice law and remains active in his community. He served for three consecutive terms as Chair of the Civil Rights Committee of the Asian American Bar Association of the Greater Bay Area. He is also an active volunteer with API Equality, an organization working for equal marriage rights and fair treatment of the lesbian and gay community. The Lawyers' Committee for Civil Rights recently appointed him to its membership.

Rahul Prakash
President and Founder
Earth Aid Enterprises

Rahul Prakash is President & Co-Founder of Earth Aid Enterprises. Earth Aid is a leading energy start-up that has developed the first free service that enables individuals to monitor all of their utility data streams from one central location and as a result drive significant energy savings. Most recently, Mr. Prakash served as part of the Founding Team & Vice President of Business Development & Marketing at 1 Block off the Grid (1BOG) and was responsible for scaling 1BOG nationally to 10 cities and profitability. 1BOG has recently raised $5 million dollars in venture capital from New Enterprise Associates.

Prior to 1BOG, Mr. Prakashl was part of the executive team at Spock where he served as Vice President and directed all marketing and operations for the leading people search engine. He was instrumental in growing traffic to over 12 million unique visitors via distribution partnerships with leading Internet brands. Spock was successfully acquired by Intellius.

Mr. Prakash also was a co-founder of The Clean Economy Network, the largest national advocacy association for the clean technology and green business community; the Full Circle Fund's Energy Impact Circle, an alliance of emerging business leaders who help solve public problems through engaged philanthropy and public policy advocacy; and Clean Tech & Green Business Leaders for Obama. Mr. Prakash serves on the Board of Directors at The Junior Statesmen Foundation, The New Leaders Council, Ethos Alliance, The Indian American Leadership Initiative and Universal Giving. He serves as an advisor to several prominent elected officials across the country on energy and technology policy.

John Rizzo
Trustee
San Francisco Community College District

John Rizzo has served on the Board of Trustees of the San Francisco Community College District since 2007. He currently serves as the Board's vice-president, chairs its Facilities, Infrastructure and Technology Committee, and is a member of the Planning and Budget Committee. He is also a member of the Board of Directors of the City College Foundation.

As a Trustee, Mr. Rizzo has worked to modernize the District's technology systems; to advance several environmental initiatives, including a District-wide Sustainability Plan, "greening a new building up to LEED Gold certification, and creation and funding of new green-jobs training

programs for disadvantaged communities and at-risk youth; and to achieve more effective management of the District's capital and operation budget.

Until earlier this year, Mr. Rizzo was also a member of the Board of Directors of the Golden Gate Park Concourse Authority, working to add public safety improvements to the underground garage project.

Mr. Rizzo is also a volunteer environmental activist, currently serving as a member of the board of the 40,000-member Sierra Club San Francisco Bay Chapter and as its Political Chair. In 2008, John won a commendation from the San Francisco Board of Supervisors for his work in environmental advocacy, having worked with a coalition of environmental, environmental justice, and community members to prevent the city from building several fossil fuel power plants in low-income neighborhoods.

Since 1987, Mr. Rizzo's has been a technology writer and author. Since 1997, he has published a technology news and information website, MacWindows.com.

Laura Thompson
Manager
San Francisco 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 the book, Trail Planning for California Communities. Prior to her work on the Bay Trail Project, she worked as a planner with the San Mateo County Planning Division.

Kate White
Executive Director
Urban Land Institute, San Francisco

Kate White became the first Executive Director of San Francisco's Urban Land Institute in August 2005 and has worked in the field of sustainable urban development for the past 17 years. Previously, Ms. White was the founding Executive Director of the San Francisco Housing Action Coalition, a diverse group of 70 organizations advocating for well-designed, well-located housing at all income levels in the City of San Francisco. She is a founder of City CarShare, a Bay Area non-profit car-sharing service with 20,000 members where she served as Co-Director and as a Board member for eight years. Previously, Ms. White worked at Urban Ecology, the National Low Income Housing Coalition, and on the rehabilitation of a 300-unit mixed-income residential high-rise development in Chicago. Ms. White has been published in the SPUR journal and UrbanLand magazine, and has received several awards, including: Globest.com's "Northern California's Women of Influence 2009" for her leadership at the Urban Land

Institute, the American Society of Public Administrators' 2007 award for Empirical Research, and the San Francisco Bicycle Coalition's "Golden Wheel" award for founding City CarShare. She is a member of land use honorary society Lambda Alpha International. Ms. White lives with her spouse in the Mission neighborhood of San Francisco.

San Francisco Bay Restoration Authority

Date: July 13, 2010

To: Governing Board

From John Gioia
Supervisor, County of Contra Costa
Chair, Subcommittee on the Advisory Committee

Subject: **Recommendation for Additional Appointments to the Advisory Committee**

Attachment: Biographies of Proposed Advisory Committee Appointees

Recommendation

Appoint the following additional individuals to the Advisory Committee of the San Francisco Bay Restoration Authority (see attachment):

Josh Arce, Executive Director, Brightline Defense Project
Dion Aroner, Partner, Aroner, Jewel & Ellis
Sally Lieber, Community Advocate; Sponsor of AB 2954
Steve Ngo, Trustee, San Francisco City College District
Rahul Prakash, President, Earth Aid Enterprises
John Rizzo, Trustee, San Francisco City College District
Laura Thompson, Manager, San Francisco Bay Trail Project
Kate White, Executive Director, Urban Land Institute

Background

Section 66703.7 of the San Francisco Bay Restoration Authority's (Authority) enabling legislation (California Government Code Section 66700-66706) requires that the Governing Board of the Authority appoint an advisory committee to assist and advise it in carrying out its functions.

At its July 29, 2009 meeting, the Governing Board of the Authority took the following actions toward formation of the Advisory Committee including:

- Reviewed preliminary list compiled by staff of 19 potential advisors willing to serve;

- Formed a Subcommittee of the Governing Board consisting of Councilmember Foust, Supervisor Gioia, and Assessor/Recorder Ting, with Supervisor Gioia agreeing to serve as Chair, to focus on formation of the Advisory Committee;
- Developed a process for completing formation of the Advisory Committee: Governing Board members were to supply names of additional potential nominees; the Subcommittee was to vet all nominees; and a slate of potential members was to be presented to the full Governing Board.

At its October 28, 2009 meeting, the Governing Board of the Authority appointed the following fifteen individuals to serve as Advisory Committee members:

Steve Abbors, General Manager, Mid-Peninsula Regional Open Space District
Cindy Chavez, Executive Officer, South Bay Labor Council
Patrick Congdon, General Manager, Santa Clara County Open Space Authority
Grant Davis, Assistant General Manager, Sonoma County Water Agency
Beth Huning, Coordinator, San Francisco Bay Joint Venture
Ellen Johnck, Executive Director, Bay Planning Coalition
Jerry Kent, Former Acting General Manager, East Bay Park and Recreation District
David Lewis, Executive Director, Save The Bay
Cynthia Murray, President/CEO, North Bay Leadership Council
Bruce Raful, Proprietor, Raful & Associates
Curt Riffle, Program Operations Manager, Conservation and Science, The David and Lucile Packard Foundation
Patrick Rutten, Implementation Team Chair, NOAA Restoration Center
Bob Spencer, Economist/Financial Consultant
Mendel Stewart, Project Leader, Don Edwards San Francisco Bay National Wildlife Refuge
Will Travis, Executive Director, San Francisco Bay Conservation and Development Commission

In order to consider additional appointees to round out the expertise and representation on the Advisory Committee, the Subcommittee deliberated further and, in its meeting conducted by phone on June 30, agreed to recommend that the Governing Board make the additional appointments shown in "Recommendation" above. While other capable and qualified individuals were nominated by Governing Board members and staff, the Subcommittee concluded that appointments beyond those recommended above could make the Advisory Committee unwieldy and introduce redundancy. The Subcommittee does not contemplate further appointments at this time.

San Francisco Bay
Restoration Authority

Date; July 21, 2010

To: Governing Board

From Karen McDowell
Environmental Planner, San Francisco Estuary Partnership

Subject: **Status of Public Opinion Polling**

Attachment: Ballot Measure Feasibility Survey

Current Status

The Polling Subcommittee consists of the following members:

Samuel Schuchat, Executive Officer, California State Coastal Conservancy
Dave Cortese, Supervisor, County of Santa Clara
Rosanne Foust, Councilmember, City of Redwood City
Charles McGlashan, Supervisor, County of Marin

On April 13, the contract for the public opinion poll was awarded to FM3.

On June 29, the Polling Subcommittee and the Advisory Committee met with Dave Metz and Shakari Byerly from FM3 to discuss the items that should be addressed in the public opinion poll.

On July 13, the draft poll was distributed to the Polling Subcommittee and the Advisory Committee.

On July 21, the Polling Subcommittee, Advisory Committee, and FM3 staff met to discuss which comments would be incorporated into the final poll.

Written comments on the draft poll can be submitted via email to kmcdowell@waterboards.ca.gov by 4:00 p.m. on Friday, July 23, 2010.

The final poll will be distributed at the Governing Board meeting on July 28, 2010.

Polling is expected to begin in early August.

SAN FRANCISCO BAY BALLOT MEASURE FEASIBILITY SURVEY
220-2916
DRAFT 2

Interviewer: _____ Time Began _____

Station # _____ Time Ended _____

Hello, I'm _____ from F-M Three Opinion Research. We are not telemarketers trying to sell you anything or ask for a donation. We're conducting a public opinion survey about some important issues that concern citizens in the Bay Area. May I please speak to _____? **(MUST SPEAK TO VOTER LISTED. VERIFY THAT THE VOTER LIVES AT THE ADDRESS LISTED; OTHERWISE, TERMINATE.)**

1. Before we begin, I need to know, have I reached you on a cell phone? **(IF YES, ASK:)** "Are you in a place where you can talk safely?"

Yes, cell and in safe place ---------- 1
Yes, cell not in safe place ---------- **TERMINATE**
No, not on cell ---------- 2
(DON'T READ) DK/NA/REFUSED ---- TERMINATE

2. First, I'm going to describe a few different types of elections. After I describe each one, please tell me if you vote in every election of that type, most of them, some, a few or do you not vote in that type of election? **(DO NOT ROTATE)**

		EVERY	MOST	SOME	FEW	NONE (DK)
[ ]a.	Statewide November presidential elections	1	2	3	4	**TERM** **TERM**
[ ]b.	Statewide primary elections	1	2	3	4	5 6
[ ]c.	Special elections for local ballot measures	1	2	3	4	5 6

3. **(T)** Do you feel things in the Bay Area are generally going in the right direction or are they off on the wrong track?

Right direction ---------- 1
Wrong track ---------- 2
(DON'T READ) DK/NA ---------- 3

4. Now I'm going to ask you about a few people and organizations active in public life. Please tell me whether you have a favorable or unfavorable opinion of each one. If you have never heard of one, please just say so. **(IF FAVORABLE/UNFAVORABLE, ASK:** "Is that very **FAVORABLE/UNFAVORABLE** or just somewhat?") **(ROTATE)**

		VERY FAV	SMWT FAV	SMWT UNFAV	VERY UNFAV	NEVER HEARD OF	(CAN'T RATE/DK)
[ ]a.	The Board of Supervisors in your County	1	2	3	4	5	6
[ ]b.	Your local Mayor	1	2	3	4	5	6
[ ]c.	The San Francisco Bay Restoration Authority	1	2	3	4	5	6
[ ]d.	**(T)** Save the Bay	1	2	3	4	5	6

NOW I WOULD LIKE TO ASK YOU ABOUT SEVERAL MEASURES THAT MAY APPEAR ON AN UPCOMING BALLOT IN YOUR LOCAL AREA.

(SPLIT SAMPLE C ASK QXX THROUGH QXX, THEN QXX)
(SPLIT SAMPLE D ASK QXX, THEN QXX THROUGH QXX)

5. **(SPLIT SAMPLE C SAY:** The first measure might read as follows:
(SPLIT SAMPLE D SAY: The next measure would appear on the ballot instead of the measure I just described. Please listen carefully. Although the two measures may sound similar, there are differences. This measure might read as follows:

(RESUME ASKING ALL RESPONDENTS)
"The San Francisco Bay Water Quality and Wildlife Habitat Restoration Measure. To improve water quality in the San Francisco Bay and surrounding rivers, lakes and streams, protect endangered wildlife, increase flood protection for Bay Area cities, and restore shoreline, wetlands, marshes and related habitat and expand parks and public access to the Bay, Shall a 25 dollar parcel tax be levied for

(SPLIT SAMPLE A ONLY)
15 years, with annual independent audits and citizen oversight of all expenditures?"

(SPLIT SAMPLE B ONLY)
20 years, with annual independent audits and citizen oversight of all expenditures?"

(RESUME ASKING ALL RESPONDENTS)
If the vote on this measure were held today, would you vote yes in favor of this measure or no to oppose it? **(IF YES/NO ASK):** "Is that definitely **(YES/NO)** or just probably **(YES/NO)**?" **(IF UNDECIDED, ASK:)** Well, do you lean towards voting yes or no?

Definitely yes ---------- 1
Probably yes ---------- 2
Undecided, lean yes ---------- 3
Undecided, lean no ---------- 4
Probably no ---------- 5
Definitely no ---------- 6
(DON'T READ) DK/NA ---------- 7

6. What if the measure I just described were for _____ **(READ EACH, RECORD)** instead of 25 dollars. In that case, would you vote yes in favor of it or no to oppose it? **(IF YES/NO ASK):** "Is that definitely **(YES/NO)** or probably **(YES/NO)**?" **(IF UNDECIDED, ASK:)** Well, do you lean towards voting yes or no?" **(DO NOT RANDOMIZE)**

	DEF YES	PROB YES	LEAN YES	LEAN NO	PROB NO	DEF NO	(DK/ NA)
a.	20 dollars per year	1	2	3	4	5	6	7
b.	15 dollars per year	1	2	3	4	5	6	7
c.	10 dollars per year	1	2	3	4	5	6	7
d.	5 dollars per year	1	2	3	4	5	6	7

7. Suppose you knew that instead of a tax that would levy the same amount on every parcel, the amount of the tax would vary based on how close properties are to the Bay, so those closer to the Bay would pay more and those farther away would pay less. If that were the case, would you be more or less likely to support a tax measure to protect and restore the Bay. **(IF MORE/LESS ASK:)**, "Is that much **MORE/LESS**, or just somewhat?

Much more likely ---------- 1
Somewhat more likely ---------- 2
Somewhat less likely ---------- 3
Much less likely ---------- 4
(DON'T READ) MAKES NO DIFFERENCE ---------- 5
(DON'T READ) DK/NA ---------- 6

(SPLIT SAMPLE C ASK QXX THROUGH QXX, THEN QXX)
(SPLIT SAMPLE D ASK QXX, THEN QXX THROUGH QXX)

8. **(SPLIT SAMPLE C SAY:** The next measure would appear on the ballot instead of the measure we ju discussed. Please listen carefully. Although the two measures may sound similar, there are differences. The measure might read as follows:
(SPLIT SAMPLE D SAY: The first measure might read as follows:

The San Francisco Bay Water Quality and Wildlife Habitat Restoration Measure. To improve water quality in the San Francisco Bay and surrounding rivers, lakes and streams, protect endangered fish and wildlife, increase flood protection for Bay Area cities, and restore shoreline, wetlands, marshes and related habitat and expand parks and public access to the Bay, Shall the County sales tax be increased by one-quarter cent for

(SPLIT SAMPLE A ONLY)
15 years, with annual independent audits and citizen oversight of all expenditures?"

(SPLIT SAMPLE B ONLY)
20 years, with annual independent audits and citizen oversight of all expenditures?"

(RESUME ASKING ALL RESPONDENTS)
If the vote on this measure were held today, would you vote yes in favor of this measure or no to oppose it? **(IF YES/NO ASK):** "Is that definitely **(YES/NO)** or just probably **(YES/NO)**?" **(IF UNDECIDED, ASK:)** Well, do you lean towards voting yes or no?

Definitely yes ---------- 1
Probably yes ---------- 2
Undecided, lean yes---------- 3
Undecided, lean no---------- 4
Probably no---------- 5
Definitely no ---------- 6
(DON'T READ) DK/NA ---------- 7

NOW I WOULD LIKE TO ASK YOU ABOUT SOME OTHER ISSUES FACING THE BAY AREA.

9. I'm going to read you a list of issues, and I'd like you to tell me how serious a problem you think each one is in the Bay Area. After I read each one, please tell me if you think it is an extremely serious problem, a very serious problem, a somewhat serious problem, a not too serious problem, or not at all a serious problem. (**RANDOMIZE**)

(SPLIT SAMPLE A ONLY)	**EXT. SER.**	**VERY SER.**	**S.W. SER.**	**NOT TOO SER.**	**NOT AT ALL SER.**	**(DK/ NA)**
[ ]a. **(T)** Overall levels of pollution in the San Francisco Bay	1	2	3	4	5	6
[ ]b. **(T)** Loss of open space	1	2	3	4	5	6
[ ]c. **(T)** The amount you pay in property taxes	1	2	3	4	5	6
[ ]d. Government waste and mismanagement	1	2	3	4	5	6
[ ]e. **(T)** The rate at which land is being developed	1	2	3	4	5	6
[ ]f. **(T)** Loss of tidal marshes	1	2	3	4	5	6
[ ]g. **(T)** The quality of drinking water	1	2	3	4	5	6
[ ]h. Unemployment	1	2	3	4	5	6
[ ]i. **(T)** Air pollution and smog	1	2	3	4	5	6
[ ]j. **(T)** Loss of wetlands	1	2	3	4	5	6

(SPLIT SAMPLE B ONLY)	**EXT. SER.**	**VERY SER.**	**S.W. SER.**	**NOT TOO SER.**	**NOT AT ALL SER.**	**(DK/ NA)**

[ ]k. **(T)** The overall condition of the land around San Francisco Bay nearest where you live ---------- 1 ---------2---------3---------4---------5---------6
[ ]l. Loss of fish and wildlife habitat ---------- 1 ---------2---------3---------4---------5---------6
[ ]m. The amount of taxes people pay to local government ---------- 1 ---------2---------3---------4---------5---------6
[ ]n. Too much government spending ---------- 1 ---------2---------3---------4---------5---------6
[ ]o. **(T)** The condition of parks and recreational areas ---------- 1 ---------2---------3---------4---------5---------6
[ ]p. **(T)** Loss of farmland ---------- 1 ---------2---------3---------4---------5---------6
[ ]q. Water quality ---------- 1 ---------2---------3---------4---------5---------6
[ ]r. **(T)** Pollution of rivers and streams ---------- 1 ---------2---------3---------4---------5---------6
[ ]s. Flooding ---------- 1 ---------2---------3---------4---------5---------6
[ ]t. The state budget deficit ---------- 1 ---------2---------3---------4---------5---------6

(RESUME ASKING ALL RESPONDENTS)

10. **(T)** Based on what you know, how would you rate the overall condition of the San Francisco Bay: **(READ LIST)**

Excellent ---------- 1
Good ---------- 2
Just fair, or ---------- 3
Poor ---------- 4
(**DON'T KNOW/NA**) ---------- 5

11. **(T)** Do you expect the condition of the San Francisco Bay to get better or worse in the next five years? **(IF BETTER/WORSE, ASK:** Is that much **BETTER/WORSE** or just somewhat?**)**

Much better ---------- 1
Somewhat better ---------- 2
(NO DIFFERENCE) ---------- 3
Somewhat worse ---------- 4
Much worse ---------- 5
(**DON'T KNOW/NA**) ---------- 6

(RESUME ASKING ALL RESPONDENTS)

NOW I WOULD LIKE TO ASK YOU A FEW SPECIFIC QUESTIONS ABOUT THE SAN FRANCISCO BAY.

12. Next, I'm going to read you a list of statements about the San Francisco Bay. After I read each statement, I'd like you to tell me whether you generally agree or disagree. **(IF AGREE/DISAGREE, ASK:** "Is that strongly **AGREE/DISAGREE** or just somewhat?") (**ROTATE**)

(SPLIT SAMPLE A ONLY)	**STR. AGREE**	**S.W. AGREE**	**S.W. DISAG.**	**STR. DISAG.**	**(DK/ NA)**
[ ]a. **(T)** San Francisco Bay is very important to my quality of life	1	2	3	4	5
[ ]b. **(T)** The presence of the Bay increases the value of homes throughout the Bay Area	1	2	3	4	5
[ ]c. **(T)** Only those people and businesses that are located right along the Bay, or have a view of the Bay, really benefit from it.	1	2	3	4	5

(SPLIT SAMPLE A CONT.)	**STR. AGREE**	**S.W. AGREE**	**S.W. DISAG.**	**STR. DISAG.**	**(DK/ NA)**
[ ]d. **(T)** Being close to the Bay is a major reason why I have chosen to live where I live	1	2	3	4	5

(SPLIT SAMPLE B ONLY)

[ ]e. **(T)** It is important for the region's economy to have a clean, health and vibrant San Francisco Bay. ---------- 1 ---------- 2 ---------- 3 ---------- 4 ---------- 5

[ ]f. **(T)** We need better public access to the San Francisco Bay so more people can enjoy everything that it has to offer ---------- 1 ---------- 2 ---------- 3 ---------- 4 ---------- 5

[ ]g. **(T)** I would be willing to pay more in taxes for wetlands restoration if I knew more about the benefits of restoring the wetlands around San Francisco Bay ---------- 1 ---------- 2 ---------- 3 ---------- 4 ---------- 5

[ ]h. **(T)** Taking care of the San Francisco Bay is a government responsibility ---------- 1 ---------- 2 ---------- 3 ---------- 4 ---------- 5

NOW I WOULD LIKE TO RETURN TO OUR DISCUSSION OF ONE OF THE MEASURES WE DISCUSSED EARLIER, THE 25 DOLLAR PARCEL TAX MEASURE TO IMPROVE WATER QUALITY IN THE SAN FRANCISCO BAY, PROTECT ENDANGERED WILDLIFE, INCREASE FLOOD PROTECTION, RESTORE SHORELINE, WETLANDS MARSHES AND RELATED HABITAT AND EXPAND PARKS AND PUBLIC ACCESS TO THE BAY.

13. I am going to read you a list of specific projects that might be funded through this measure. As I read each one, please tell me how important it is to you that that project be funded: extremely important, very important, somewhat important, or not important. **(RANDOMIZE)**

		EXT. IMP.	VERY IMP.	S.W. IMP.	NOT IMP.	(DON'T READ) DK/NA
(SPLIT SAMPLE A ONLY)						
[ ]a.	Improving water quality	1	2	3	4	5
[ ]b.	Protecting endangered fish and wildlife	1	2	3	4	5
[ ]c.	Restoring Bay wetlands	1	2	3	4	5
[ ]d.	**(T)** Protecting migrating birds like shorebirds and ducks	1	2	3	4	5
[ ]e.	**(T)** Protecting grasslands around the Bay	1	2	3	4	5
[ ]f.	**(T)** Creating new areas around the Bay for swimming, hiking, biking, wildlife viewing and other recreational activities	1	2	3	4	5
[ ]g.	**(T)** Protecting woodlands around the Bay	1	2	3	4	5
[ ]h.	Restoring shoreline	1	2	3	4	5
[ ]i.	Increasing flood protection for Bay area cities	1	2	3	4	5
[ ]j.	Protecting against sea level rise	1	2	3	4	5
(SPLIT SAMPLE B ONLY)						
[ ]k.	**(T)** Improving water quality in rivers and streams around San Francisco Bay	1	2	3	4	5
[ ]l.	Restoring land surrounding the Bay to its natural habitat	1	2	3	4	5

		EXT. IMP.	VERY IMP.	S.W. IMP.	NOT IMP.	(DON'T READ) DK/NA
(SPLIT SAMPLE B CONT.)						
[ ]m.	**(T)** Protecting habitat for endangered fish and wildlife	1	2	3	4	5
[ ]n.	Improving drinking water quality	1	2	3	4	5
[ ]o.	Restoring wetlands that provide flood protection	1	2	3	4	5
[ ]p.	**(T)** Reducing levels of pollution in the Bay	1	2	3	4	5
[ ]q.	**(T)** Creating more parks and open space for public use around the Bay	1	2	3	4	5

[ ]r. Restoring tidal marshes ---------- 1 --------- 2 --------- 3 -------- 4 ---------- 5
[ ]s. Providing opportunities for kids to learn about the environment ---------- 1 --------- 2 --------- 3 -------- 4 ---------- 5
[ ]t. Dealing with the impact of climate change ---------- 1 --------- 2 --------- 3 -------- 4 ---------- 5

(RESUME ASKING ALL RESPONDENTS)

14. Next, I am going to read you a pair of statements. After I read them both, please tell me which statement comes closest to your own opinion, even if neither of the statements matches your views exactly. **(ROTATE)**

[ ] It does not matter to me if revenues generated by this measure are spent in my county, as long as funding goes to the most effective projects to improve the Bay.. ---------- 1

OR

[ ] I only want revenues raised in my county to be spent in my county. ---------- 2

(DON'T READ)
(BOTH) ---------- 3
(NEITHER) ---------- 4
(DON'T KNOW/NA) ---------- 5

NOW I WOULD LIKE TO SHARE A LITTLE MORE INFORMATION WITH YOU ABOUT THE SAN FRANCISCO BAY.

15. I'm going to read you a list of facts about the condition of San Francisco Bay. After I read each one, please tell me how concerned you are about that item: extremely concerned, very concerned, somewhat concerned or not too concerned. (**ROTATE**)

		EXT. CONC.	VERY CONC.	S.W. CONC.	TOO CONC.	NOT (DK/ NA)
[ ]a.	XX species of fish, birds, and animals that live in San Francisco Bay have been designated as endangered	1	2	3	4	5
[ ]b.	XX percent of all Bay fish sampled have been contaminated with harmful chemicals like PCBs, mercury and pesticides that made them unsafe to eat	1	2	3	4	5

		EXT. CONC.	VERY CONC.	S.W. CONC.	TOO CONC.	NOT (DK/ NA)
[ ]c.	Today, only 5 percent of the Bay's original wetlands remain and the Bay is threatened everyday by pollution and sprawl	1	2	3	4	5
[ ]d.	XX percent of the original marsh, and river habitat around the San Francisco Bay either no longer exists or has been developed	1	2	3	4	5
[ ]e.	Native fish populations in the Bay have declined by XX percent since XX, leading to a collapse of commercial and recreational fishing	1	2	3	4	5
[ ]f.	Many fish that are caught in the Bay are not safe to eat	1	2	3	4	5
[ ]g.	Scientists advise that a healthy, sustainable Bay requires at leat 100,00 acres of tidal wetlands, but today only 76 thousand are under protection or planned for restoration.	1	2	3	4	5

(RESUME ASKING ALL RESPONDENTS)

NOW I WOULD LIKE TO READ SOME STATEMENTS FROM SUPPORTERS AND OPPONENTS OF THE 25 DOLLAR PARCEL TAX MEASURE WE HAVE BEEN DISCUSSING, WHICH WOULD IMPROVE WATER QUALITY IN THE SAN FRANCISCO BAY AND RESTORE SURROUNDING HABITAT AND NATURAL AREAS.

16. First, supporters of this measure say the San Francisco Bay is an important part of the natural beauty and unique quality of life we enjoy in the Bay Area. They say that if we don't act now to protect the Bay, our children and grandchildren will not be able to enjoy recreational opportunities and the Bay's natural beauty and public health and safety benefits like we do today. Supporters point out that this measure will also help restore wetlands and other natural habitat that help filter toxins and prevent soil and shoreline erosion, keeping our water clean and helping to prevent floods. Restoring these wetlands has the added benefit of protecting dozens of species of plants, animals, birds and fish. This measure will also bring **in state and federal matching funds to the Bay Area that would otherwise go to other communities and projects.**

Now that you have heard more about it, let me ask you again about the 25 dollar parcel tax measure to protect and restore the San Francisco Bay, If the vote on this measure were held today, would you vote yes in favor of this measure or no to oppose it? **(IF YES/NO ASK):** "Is that definitely **(YES/NO)** or just probably **(YES/NO)**?" **(IF UNDECIDED, ASK:)** Well, do you lean towards voting yes or no?

Definitely yes ---------- 1
Probably yes ---------- 2
Undecided, lean yes ---------- 3
Undecided, lean no ---------- 4
Probably no ---------- 5
Definitely no ---------- 6
(DON'T READ) DK/NA ---------- 7

17. Opponents of this measure say that with the economy still in deep recession we simply cannot afford any increase in property taxes. They also say that with vital services being cut and a state budget deficit of nearly 20 billion dollars, there are other more important priorities for our tax dollars than the environment, including schools, public safety and roads. They say government cannot be trusted to manage any additional tax dollars and any funds from this measure would simply be mismanaged and wasted.

Sometimes over the course of a survey like this, people change their minds. Having heard this, let me ask you again about the 25 dollar parcel tax measure to protect and restore the San Francisco Bay. If the vote on this measure were held today, would you vote yes in favor of this measure or no to oppose it? **(IF YES/NO ASK): "**Is that definitely **(yes/no)** or just probably **(yes/no)**?" **(IF UNDECIDED, ASK:)** Well, do you lean towards voting yes or no?

Definitely yes ---------- 1
Probably yes ---------- 2
Undecided, lean yes ---------- 3
Undecided, lean no ---------- 4
Probably no ---------- 5
Definitely no ---------- 6
(DON'T READ) DK/NA ---------- 7

THESE ARE MY FINAL QUESTIONS, AND THEY ARE FOR CLASSIFICATION PURPOSES ONLY.

18. I'm going to mention some places that people might go for pleasure or recreation. For each one I mention, please tell me whether that is a place you visit frequently, on occasion, or never. The first one is ...**(ROTATE)** Next is...

		FREQUENTLY VISIT	VISIT ON OCCASION	NEVER VISIT	(DON'T READ) DK/NA
[ ]a.	The San Francisco Bay	1	2	3	4
[ ]b.	Ocean beaches	1	2	3	4
[ ]c.	Local creeks and creek trails	1	2	3	4
[ ]d.	Marinas along your area of the Bay	1	2	3	4
[ ]e.	Local wetlands	1	2	3	4
[ ]f.	Parks near your area of the Bay	1	2	3	4

19. Approximately how many miles is your home from San Francisco Bay? **(OPEN-END—CODE IN APPROPRIATE CATEGORY)**

Three miles or less ---------- 1
Four to five miles ---------- 2
Five to ten miles ---------- 3
11-20 miles ---------- 4
21-30 miles ---------- 5
31 miles or more
(DK/REFUSED/NA) ---------- 7

20. Do you have any children under the age of 19 living at home?

Yes ---------- 1
No ---------- 2
(DON'T READ) DK/NA/REFUSED ---------- 3

21. Do you own or rent your place of residence?

Own ---------- 1

Rent ---------- 2
(DON'T READ) DK/NA/REFUSED ---------- 3

22. What was the last level of school you completed?

Less than grade 12 ---------- 1
Grade 12 ---------- 2
Less than 4yrs of College ---------- 3
College Graduate (4) ---------- 4
Post graduate work/
Professional School ---------- 5
(**REFUSED/NA**) ---------- 6

23. With which racial or ethnic group do you identify yourself? **(READ RESPONSES)**

Hispanic or Latino ---------- 1
Anglo/White ---------- 2
African-American or Black ---------- 3
Asian ---------- 4
Something else ---------- 5
(DON'T READ) Refused/NA ---------- 6

24. In what year were you born?

1992-1986 (18-24) ---------- 1
1985-1981 (25-29) ---------- 2
1980-1976 (30-34) ---------- 3
1975-1971 (35-39) ---------- 4
1970-1966 (40-44) ---------- 5
1965-1961 (45-49) ---------- 6
1960-1956 (50-54) ---------- 7
1955-1951 (55-59) ---------- 8
1950-1946 (60-64) ---------- 9
1945-1936 (65-74) ---------- 10
1935 or earlier (75 & over) ---------- 11
(DON'T READ) Refused ---------- 12

THANK AND TERMINATE

Sex: By Observation

Male ----------1
Female----------2

Party Registration:

Democrat----------1
Republican----------2
Other ----------3

Name _____ Phone # _____

Zip Code _____ Date _____

DMA#_____ Voter ID# _____

Interviewer _____ Rep # _____

Verified by _____ Page # _____

VOTE BY MAIL

Yes ---------- 1
No ---------- 2

FLAGS

P02---------- 1
G02 ---------- 2
P04---------- 3
G04 ---------- 4
P06---------- 5
G06 ---------- 6
P08---------- 7
G08 ---------- 8
BLANK ---------- 9

COUNTY

Alameda ---------- 1
Contra Costa---------- 2
Marin---------- 3
Napa ---------- 4
San Francisco ---------- 5
San Mateo---------- 6
Santa Clara ---------- 7
Solano---------- 8
Sonoma ---------- 9

AMENDED IN SENATE JUNE 2, 2010

AMENDED IN ASSEMBLY APRIL 22, 2010

AMENDED IN ASSEMBLY APRIL 19, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL No. 2103

Introduced by Assembly Member Hill

February 18, 2010

An act to *amend Section 66704 of, and to* add Section 66704.05 to, the Government Code, relating to the San Francisco Bay Restoration Authority.

LEGISLATIVE COUNSEL'S DIGEST

AB 2103, as amended, Hill. San Francisco Bay Restoration Authority.

Existing law authorizes the San Francisco Bay Restoration Authority to levy a benefit assessment, special tax, or property-related fee consistent with Articles XIII C and XIII D of the California Constitution, as specified.

This bill would require ~~(1)~~ the board of supervisors of each affected county, when the authority proposes a ~~regional~~ measure to levy a benefit assessment, special tax, or property-related fee for submission to the voters, to call a special election on the regional measure and place the regional measure on the ballot of the next regularly scheduled election, ~~(2)~~ *and would require* the county clerk of each county to report the results of the special election to the authority~~, and (3) the authority to adopt and implement the regional measure if cumulatively, throughout the authority's jurisdictional boundaries, the regional measure receives the constitutionally required affirmative votes~~.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 66704 of the Government Code is amended to read:

66704. The authority has, and may exercise, all powers, expressed or implied, that are necessary to carry out the intent and purposes of this title, including, but not limited to, the power to do all of the following:

(a) (1) Levy a benefit assessment, special tax *levied pursuant to Article 3.5 (commencing with Section 50075) of Chapter 1 of Part 1 of Division 1 of Title 5*, or property-related fee consistent with the requirements of Articles XIII C and XIII D of the California Constitution, including, but not limited to, a benefit assessment levied pursuant to paragraph (2), except that a benefit assessment, special tax, or property-related fee shall not be levied pursuant to this subdivision after December 31, 2028.

(2) The authority may levy a benefit assessment pursuant to any of the following:

(A) The Improvement Act of 1911 (Division 7 (commencing with Section 5000) of the Streets and Highways Code).

(B) The Improvement Bond Act of 1915 (Division 10 (commencing with Section 8500) of the Streets and Highways Code).

(C) The Municipal Improvement Act of 1913 (Division 12 (commencing with Section 10000) of the Streets and Highways Code).

(D) The Landscaping and Lighting Assessment Act of 1972 (Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code), notwithstanding Section 22501 of the Streets and Highways Code.

(E) Any other statutory authorization.

(b) Apply for and receive grants from federal and state agencies.

(c) Solicit and accept gifts, fees, grants, and allocations from public and private entities.

(d) Issue revenue bonds for any of the purposes authorized by this title pursuant to the Revenue Bond Law of 1941 (Chapter 6

(commencing with Section 54300) of Part 1 of Division 2 of Title 5).

(e) Incur bond indebtedness, subject to the following requirements:

(1) The principal and interest of any bond indebtedness incurred pursuant to this subdivision shall be paid and discharged prior to January 1, 2029.

(2) For purposes of incurring bond indebtedness pursuant to this subdivision, the authority shall comply with the requirements of Article 11 (commencing with Section 5790) of Chapter 4 of Division 5 of the Public Resources Code except where those requirements are in conflict with this provision. For purposes of this subdivision, all references in Article 11 (commencing with Section 5790) of Chapter 4 of Division 5 of the Public Resources Code to a board of directors shall mean the board and all references to a district shall mean the authority.

(3) The total amount of indebtedness incurred pursuant to this subdivision outstanding at any one time shall not exceed 10 percent of the authority's total revenues in the preceding fiscal year.

(f) Receive and manage a dedicated revenue source.

(g) Deposit or invest moneys of the authority in banks or financial institutions in the state in accordance with state law.

(h) Sue and be sued, except as otherwise provided by law, in all actions and proceedings, in all courts and tribunals of competent jurisdiction.

(i) Engage counsel and other professional services.

(j) Enter into and perform all necessary contracts.

(k) Enter into joint powers agreements pursuant to the Joint Exercise of Powers Act (Chapter 5 (commencing with Section 6500) of Division 7 of Title 1).

(l) Hire staff, define their qualifications and duties, and provide a schedule of compensation for the performance of their duties.

(m) Use interim or temporary staff provided by appropriate state agencies or the Association of Bay Area Governments. A person who performs duties as interim or temporary staff shall not be considered an employee of the authority.

~~SECTION 1.~~

SEC. 2. Section 66704.05 is added to the Government Code, to read:

66704.05. (a) ~~Notwithstanding any other provision of law, when~~ *When* the authority proposes ~~any regional measure~~ *to levy a special tax* pursuant to subdivision (a) of Section 66704 ~~for submission to the voters of one or more counties within the San Francisco Bay area, including, but not limited to, the City and County of San Francisco, the board of supervisors of each of those counties~~, *the board of supervisors of the county or counties in which the special tax is proposed to be levied* shall call a special election on the ~~regional~~ measure. The special election shall be consolidated with the next regularly scheduled statewide election and the ~~regional~~ measure shall be submitted to the voters in the appropriate counties, consistent with the requirements of Article XIII C or XIII D of the California Constitution, as applicable.

(b) Each county included in the measure shall ~~utilize~~ *use* the ballot question, title and summary, and ballot language provided in the resolution of the authority.

(c) The county clerk of each county shall report the results of the special election to the authority.

~~(d) If cumulatively, throughout the authority's jurisdictional boundaries, the regional measure receives the required affirmative votes as prescribed by Article XIII C or XIII D of the California Constitution, as applicable, the authority shall adopt and implement the regional measure.~~

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San Francisco Bay Restoration Authority

Date: July 21, 2010

To: Governing Board

From Deborah Ruddock
Legislative Affairs Coordinator, California State Coastal Conservancy

Melanie Denninger
Project Specialist, California State Coastal Conservancy

Subject: **AB 2103 Amendment to Clarify Enabling Legislation**

Attachment: AB 2103 (Amended in Senate, June 2, 2010)

Recommendation

None.

Summary

At its January 15, 2010 meeting, the San Francisco Bay Restoration Authority Governing Board determined that 1) the Authority would sponsor an amendment to its enabling legislation that would provide needed clarifying language in order for the Authority to carry out its purposes and 2) staff of the State Coastal Conservancy would manage this legislative change. The resulting bill, AB 2103 (Hill), has been approved by the Assembly and the Senate Local Government Committee and is due for consideration on the Senate floor in early August.

Background

AB 2103 (Hill) was drafted in order to clarify the intent of AB 2954 (Lieber), which created the San Francisco Bay Restoration Authority in 2008. In addition to various clarifications to the Authority's ability to levy assessments, the bill, as introduced, principally was intended to:

1. Spell out the obligation of affected counties to place certain types of regional measures proposed by the Authority before voters in the next regularly schedule election and to use language from the Authority's corresponding resolution for the ballot question, title and summary; and

2. Make explicit the authority to adopt and implement a regional measure if cumulatively, throughout the Authority's jurisdiction, the regional measure receives the constitutionally required affirmative votes.

Without materially changing its intended effect, the bill has been amended in both the Assembly and the Senate, principally to replace some proscriptive language with citations of existing statutes. The latest version is attached to this memo for reference. The version approved by the Assembly (74-0) and the version passed out of the Senate Local Government Committee (3-0) are essentially the same.

The full Senate is expected to vote on the bill in early August, followed by reconciliation between the Senate and Assembly versions later in the month, and then submission to the Governor for signature in September. At this point, no significant controversy is anticipated. When the signed version of the legislation is available, staff will provide it to the Governing Board.