

# 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 8<sup>th</sup> Street, Oakland, California 94607

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

Summary Minutes available at:  
[www.sfbayrestore.org](http://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