

ASSOCIATION OF BAY AREA GOVERNMENTS

Celebrating 50 Years of Service to the Region



To: Governing Board, San Francisco Bay Restoration Authority
Fr: Kenneth Moy, Legal Counsel
Dt: November 2, 2012
Re: Staffing and Financial Reporting

This memorandum responds to questions posed at the last meeting of the Governing Board.

Since 2009, the San Francisco Bay Restoration Authority (SFBRA) has been staffed by employees of the Association of Bay Area Governments (ABAG) and the State Coastal Conservancy - San Francisco Bay Area (SCC) at no charge. This arrangement is memorialized in letters from ABAG and SCC to SFBRA (attached). ABAG and SCC also stated that if the SFBRA decides to issue bonds in connection with its revenue measure they may seek reimbursement for interim staff costs from the proceeds of the bond.

SFBRA has tentatively decided against issuing bonds. Further, ABAG has not maintained comprehensive records on staff time or resources used to support SFBRA. Therefore, reimbursement for ABAG's interim costs is moot.

ABAG has no plans to withdraw its support of SFBRA or to modify its 2009 letter. I understand this is also true for SCC.

The chief financial officer for SFBRA, Herbert Pike will be presenting a report on SFBRA's financial reporting obligation(s) at the November 14 meeting.



April 20, 2009

Governing Board Member (name)
c/o Association of Bay Area Government
101 8th Street
Oakland, CA 94607

Re: San Francisco Bay Restoration Authority

Dear Board Members:

The Association of Bay Area Governments (ABAG) is the agency responsible for appointing the Governing Board of the San Francisco Bay Restoration Authority (Authority). ABAG's programs include the San Francisco Estuary Project and the San Francisco Bay Trail. The Authority and ABAG have overlapping and compatible goals for enhancing the natural resources of the San Francisco Bay and providing public access and recreational opportunities along the Bay.

At this time, the Authority has neither funds nor staff. ABAG will make its staff available on an as needed basis to support the work of the Governing Board. ABAG agrees to the appointment of its Executive Director, Legal Counsel, Finance Director and Clerk of its Executive Board to the positions of the Authority's Director, Legal Counsel, Treasurer and Clerk to the Governing Board, respectively. In the event that ABAG needs to withdraw this offer, it will provide the Authority with prior notice so as to avoid disruption to the Authority's work.

ABAG may seek reimbursement for the cost of providing interim staff to the Authority from the proceeds of any financings undertaken for restoration projects.

ABAG looks forward to the Authority's success.

Sincerely,

Original signed by Henry Gardner

Henry L. Gardner
Executive Director



April 8, 2009

Governing Board Members
San Francisco Bay Restoration Authority
P.O. Box 2050
Oakland, CA 94604-2050

Re: Staffing for San Francisco Bay Restoration Authority

Dear Board Members:

The State Coastal Conservancy (Conservancy) is a state agency that works in partnership with local governments, other public agencies, nonprofit organizations, and private landowners along the coast of California and in the nine-county Bay Area. The San Francisco Bay Area Conservancy Program (Bay Program) was established as a program of the Conservancy in the late 1990s to protect open space, restore habitats, and provide public access and recreation in the nine-county Bay Area.

The Bay Program's goals are closely aligned with the goals of the San Francisco Bay Restoration Authority (Authority), and include restoration of wetlands habitat and associated tidal flood management in the San Francisco Bay, as well as completion of the San Francisco Bay Trail, San Francisco Bay Area Water Trail, and other public access and recreation along the Bay's shoreline.

At this time, the Authority has neither funds nor staff. The Conservancy's Executive Officer has been appointed to be the Chair of the Governing Board. The Conservancy will make its staff available on an as needed basis to support the work of the Governing Board. In the event that the Conservancy needs to withdraw this offer, it will provide the Authority with prior notice so as to avoid disruption to the Authority's work.

The Conservancy may seek reimbursement for the cost of providing interim staff to the Authority from the proceeds of any financings undertaken for restoration projects. The Conservancy looks forward to the Authority's success.

Sincerely,

A handwritten signature in blue ink, appearing to read "Amy Hutzell".

Amy Hutzell
Program Manager
San Francisco Bay Area Conservancy

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