



**MEMORANDUM**

**DATE:** October 20, 2023

**TO:** Governing Board  
San Francisco Bay Restoration Authority

**FROM:** Karen McDowell, Deputy Program Manager  
San Francisco Bay Restoration Authority

**SUBJECT:** Amendment of Oversight Committee Procedural Document

Staff recommends that the San Francisco Bay Restoration Authority (Authority) amend the Independent Citizens Oversight Committee (Oversight Committee) procedural document to update the application, selection, and resignation process and to update the stipend policy to make it consistent with the Advisory Committee stipend policy.

One of the proposed changes specifies the option of using an ad hoc subcommittee of the Governing Board to assist in the process of selecting new members to the Oversight Committee. Another proposed revision changes the process for reappointment of members seeking a second term. The suggested revision allows the Authority to reappoint a member to a second term without releasing a Request for Statements of Interest and without requiring the member to resubmit a Statement of Interest. Members could express their interest in applying for a second term via email and then staff could make a recommendation to the Governing Board for reappointment. An additional suggested change in the procedural document would allow members who are resigning to submit their resignation to the Executive Officer instead of the Governing Board.

The stipend policy was amended on October 15, 2021 and again on December 10, 2021, to add a stipend of \$100 and then to make it an opt-out policy. At the time, the Advisory Committee already had a \$100 stipend, but changed their policy to an opt-out policy, so that the two policies were similar and in line with each other and with the equity recommendations approved by the Authority on July 17, 2020, specifically action 2.1 to “Seek more diverse and accurate representation on the Authority’s Advisory Committee, and Citizens Oversight Committee and on the Governing Board.” On October 14, 2022, the Governing Board approved a change in the stipend policy for the Advisory Committee changing the stipend for attending meetings from \$100 to \$200 per meeting. The proposed change will increase the stipend for attending Oversight Committee meetings from \$100 to \$200, so that it is once again aligned with the stipend policy for the Advisory Committee.

**Recommendation**

Staff recommends the Authority adopt Resolution 118, approving the changes in the Oversight Committee Procedural Document as described above and as shown in the redline version, attached to the Resolution as Exhibit A.



**Resolution No. 118**

**Amending the San Francisco Bay Restoration Authority  
Independent Citizens Oversight Committee Procedural Document**

**Whereas**, the San Francisco Bay Restoration Authority (“Authority”) was established by the San Francisco Bay Restoration Authority Act, California Government Code Section 66700 et seq. (“Act”) as a regional entity to generate and allocate resources for the protection and enhancement of tidal wetlands and wildlife habitat in San Francisco Bay and along its shoreline; and

**Whereas**, in June of 2016, The San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Measure (“Measure AA”) passed with over a two-thirds majority in the nine-county San Francisco Bay Area; and

**Whereas**, Measure AA requires creation of the San Francisco Bay Restoration Authority Independent Citizens Oversight Committee (“Oversight Committee”); and

**Whereas**, the Authority has adopted the *San Francisco Bay Restoration Authority Independent Citizens Oversight Committee Procedural Document*, adopted April 27, 2016, amended February 10, 2017, October 15, 2021, and December 10, 2021 (“Procedural Document”);

**Now Therefore Be It Resolved**, that the Governing Board of the San Francisco Bay Restoration Authority hereby adopts amendments to the Procedural Document as shown in Exhibit A to this Resolution 118.

**PASSED AND ADOPTED** by the Governing Board of the San Francisco Bay Restoration Authority at its meeting on October 20, 2023, by the following vote:

Gioia Peskin Hahn Gauthier

AYES: Governing Board Members \_\_\_\_\_

NOES: Governing Board Members \_\_\_\_\_

ABSENT: Governing Board Members \_\_\_\_\_

ABSTAIN: Governing Board Members \_\_\_\_\_

*Dave Pine*

\_\_\_\_\_  
Dave Pine, Chair

I, Paul Johnson, Clerk of the Governing Board of the San Francisco Bay Restoration Authority, do hereby certify that the foregoing is a true and correct copy of the Resolution adopted by the Governing Board of the San Francisco Bay Restoration Authority at its meeting of October 20, 2023, which Resolution is on file in the office of this regional governmental entity.

*Paul Johnson*

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Paul Johnson, Clerk













## ATTACHMENT A

### The San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Measure (“Measure AA”)

Included below is Section 3C of The San Francisco Bay Clean Water Pollution Prevention and Habitat Restoration Measure related to the Restoration Authority’s Independent Citizens Oversight Committee.

#### THE SAN FRANCISCO BAY CLEAN WATER, POLLUTION PREVENTION AND HABITAT RESTORATION MEASURE

##### C. Accountability and Oversight

6. The Authority shall appoint six members of the public to an Independent Citizens Oversight Committee that shall: (a) annually review the Authority’s conformance with the Measure; (b) review the Authority’s audits and expenditure and financial reports; and (c) publish an annual report of its findings, which shall be posted on the Authority’s website. The six members shall include residents of the North Bay, East Bay, West Bay, and South Bay, as defined in Government Code 66703(a), who are experts in water quality, pollution reduction, habitat restoration, flood protection, improvement of public access to the Bay, or financing of these objectives. No person may serve on the Independent Citizens Oversight Committee who (a) is an elected official or government employee, or (b) has had or could have a financial interest in decisions of the Authority as defined by Government Code section 87103 and the Fair Political Practices Commission.