



Governing Board

MEETING AGENDA

Wednesday, April 22, 2015
1:00 p.m. to 3:00 p.m.

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

Please join meeting from your computer, tablet or smartphone:
<https://global.gotomeeting.com/join/797659869>

Public Conference Call:
Call-in Number: (877) 336-1831
Participant Code: 226167

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

Agenda and attachments available at:
www.sfbayrestore.org

The Governing Board may take action on any item on this agenda.

1. Call to Order

Chair Ted Lempert will call the meeting to order.

2. Roll Call

3. Public Comments

Information

4. Announcements

Information

5. Approval of Summary Minutes of February 25, 2015

Action

Attachment: Summary Minutes for February 25, 2015

6. Chair's Report

Information

Lempert

7. Report on Polling Results

Information

Paul Kumar, Save The Bay

8. Report on Current Options for Revenue-Raising Mechanisms

Action

Sam Schuchat, Executive Officer, California State Coastal Conservancy

Attachments: Schuchat memo dated April 15, 2015; Project List; Project Map

9. Report on Options for Funding Pre-Election Administrative Costs

Information

A. ABAG Member Contributions

Kenneth Moy, Legal Counsel, Association of Bay Area Governments

B. Membership Option

Cindy Chavez, Supervisor, County of Santa Clara

10. Legislation Update

Information

Schuchat

Attachments: Fact Sheet; AB 746

11. Report on Schedule Leading to a Possible June 2016 Ballot Measure

Information

Schuchat

Attachment: Revised Schedule

12. Adjournment

Next meeting is on Wednesday, June 24, 2015, 1:00 p.m. to 3:00 p.m.

Agenda submitted by the Clerk of the Governing Board:
April 16, 2015

Agenda posted:
April 17, 2015

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Governing Board

SUMMARY MINUTES (DRAFT)

Wednesday, February 25, 2015

1:00 p.m. to 2:30 p.m.

Meeting Location:

1330 Broadway, 11th Floor Conference Room
Oakland, California

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

Agenda and attachments available at:
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1. Call to Order

Ted Lempert, Chair, called the meeting to order at about 1:07 p.m.

2. Roll Call

Fred Castro, Clerk of the Governing Board, reported that four (4) members were present. A quorum of the Governing Board was present.

Present were Keith Caldwell, Rosanne Foust, John Gioia, Ted Lempert, Dave Pine, John Sutter.

Absent was Cindy Chavez.

Present were Kenneth Moy (ABAG); Caitlin Sweeney and Karen McDowell (San Francisco Estuary Partnership); Sam Schuchat, Amy Roach, Amy Hutzler and Melanie Denninger (California State Coastal Conservancy).

3. Public Comments

There was no public comment.

4. Announcements

There were no member announcements.

5. Approval of Summary Minutes of December 10, 2014

Lempert recognized a motion by Sutter and a second by Caldwell to approve the summary minutes of the Governing Board meeting on December 10, 2014. There was no discussion. The motion passed with five (5) aye votes.

Ayes: Caldwell, Foust, Gioia, Lempert, Sutter.

Nays: None.

Abstentions: None.

Absent: Chavez, Pine.

6. Chair's Report

There was no Chair's report.

[Pine joined the meeting.]

7. Report on Past and Current Options for Revenue-Raising Mechanisms

Sam Schuchat, Executive Officer, California State Coastal Conservancy, reported on analyses of selected revenue measure options, including options for accelerating revenue-generation and increasing the total amount of revenue generated; impacts of placing a measure on ballots is less than the entirety of the nine counties; new approach to determining passage and allocating funds; and potential for participating in Enhanced Infrastructure Financing District.

Members discussed general obligation bonds; conducting polling to determine opposition to GO bonds; restrictions regarding operations and maintenance under GO bonds; caps related to GO bonds; terms and caps under parcel tax.

8. Legislation Update

Schuchat reported on legislative activities in 2015 and planned changes to statute, including extension of sunset date; allowing an elected official to serve as the Governing Board chair; extending the provision providing the Restoration Authority with one-time reduced cost access to the regional ballot; and eliminating the 10 percent cap on bonded indebtedness.

Members discussed the placement of a ballot measure and ballot costs.

9. Report on Membership Option for Restoration Authority

Schuchat reported on membership options for the Restoration Authority.

Members discussed seeking contributions from counties and cities for the Restoration Authority budget; a rate schedule; proposing a voluntary fee mechanism based on Association of Bay Area Governments' dues structure.

Members directed Moy to confer with ABAG Executive Board about a voluntary fee mechanism based the ABAG dues structure and report back to the Governing Board.

10. Report on Preliminary Schedule of Critical Path Steps Leading to a 2016 Ballot Measure

Schuchat reported on the preliminary schedule of critical path steps leading to a 2015 ballot measure.

Members discussed support from elected officials and business for bay restoration; work needed leading to placing a measure on the June ballot; polling to determine support for a June or November ballot placement; revisions to the draft expenditure plan; a joint powers agreement with another agency.

11. Appointment of New Advisory Committee Member

Schuchat reported on the recommendation to appoint Roger Leventhal, Senior Engineer, Marin County Public Works Flood Control Division, as representative of the Bay Area Flood Protection Agencies Association to the Advisory Committee.

Lempert recognized a motion by Gioia and a second by Sutter to appoint Roger Leventhal to the Advisory Committee. There was no discussion. The motion passed with six (6) aye votes.

Ayes: Caldwell, Foust, Gioia, Lempert, Pine, Sutter.

Nays: None.

Abstentions: None.

Absent: Chavez.

12. Proposed Time and Dates for the Mid-September Meeting

Schuchat reported on the proposed the September meeting time and date change.

Lempert recognized a motion by Sutter and a second by Caldwell to change the September meeting to Monday, September 21, 2015, 1:00 pm. to 3:00 p.m. There was no discussion. The motion passed with six (6) aye votes.

Ayes: Caldwell, Foust, Gioia, Lempert, Pine, Sutter.

Nays: None.

Abstentions: None.

Absent: Chavez.

13. Adjournment

Lempert adjourned the Governing Board meeting at about 2:30 p.m.

Next meeting is on Wednesday, April 22, 2015, 1:00 p.m. to 3:00 p.m.

Submitted by the Clerk of the Governing Board:
May 27, 2015

Approved by the Governing Board:
TBD



MEMORANDUM

DATE: April 15, 2015

TO: Governing Board
San Francisco Bay Restoration Authority

FROM: Sam Schuchat
Executive Officer
State Coastal Conservancy

SUBJECT: Current Options for Revenue-Raising Mechanisms

Attachment: March 2014 Draft list and map of examples of projects anticipated to be eligible for Restoration Authority grants

Introduction

This memo provides revised projections of the revenue-generating potential of a parcel tax and a general obligation bond measure and presents information about several issues affecting the feasibility and implications of a bond measure. The memo is provided for information and discussion. The Governing Board may wish to provide direction regarding further research, reporting and outreach.

The attached March 2014 Draft list and map of examples of projects anticipated to be eligible for Restoration Authority grants were prepared for the parcel tax measure option and are provided for your reference.

Current Options for Revenue-Raising Mechanisms

1. Revised Projections of the Revenue-Generating Potential of a Parcel Tax and a Bond Measure

Based upon their recent review of Bay Area county assessors' data, Save The Bay's technical consultants, NBS, estimate there to be approximately 2.1 million taxable parcels in the nine-county Bay Area. This is significantly greater than SCI's 2009 estimate of approximately 1.7 million taxable parcels, upon which the Restoration Authority's 2014 revenue projections were based. The "Regional Revenue" projections in Table 1 below assume the updated NBS figures. For other assumptions, see the notes that follow Table 1.

Table 1. Revised Projections of Regional Revenue

	\$12 Parcel Tax	\$18 Parcel Tax	\$500 million G.O. Bond	\$750 million G.O. Bond
Term	20 year	20 year	30 year	30 year
Regional Revenue	\$500M	\$750M	\$500M	\$750M
Annual Tax Levy	\$12 per parcel	\$18 per parcel	\$3.22 per \$100K of assessed value	\$4.83 per \$100K of assessed value

Table 1 notes:

- a. All “Regional Revenue” figures in the table are based on 2015 NBS estimates of the total number of taxable parcels throughout the nine-county Bay Area and their total assessed value, as derived from county assessors’ data. These figures were provided to the Restoration Authority by Save The Bay.
- b. *Ad valorem* taxes associated with potential 30-year bond measures are based additionally upon current interest rates for public agencies with average bond ratings.

2. Comparison of additional issues affecting the suitability of a parcel tax measure and a municipal general obligation bond measure.

Pending advice to the Restoration Authority from bond counsel and other municipal finance professionals, the comparisons in Table 2 below may assist in evaluating the benefits and challenges of a parcel tax measure and a bond measure.

Table 2. Further comparison of parcel tax measure and G.O. bond measure

Issue	Parcel Tax Measure	G.O. Bond Measure
Higher levy for higher-value property?	No	Yes
Total capital funding for Bay restoration ^a	Up to \$750,000,000 plus unrestricted earnings, minus county and unrestricted Restoration Authority administrative costs	Up to \$750,000,000, plus earnings if needed to service bond debt, minus county and bond-administration costs
Schedule for availability of funding for Bay Restoration following passage of June 2016 revenue measure	At \$18/parcel: ~\$37,800,000 per year for 20 years beginning in FY 2017 (total \$750 m) ^b	Assuming 4 bond sales in equal increments: ~\$187,500,000 every 4 years beginning in FY 2017 (total \$750 m) ^c
Schedule for disbursement of funds	As needed for Bay restoration	To maintain tax exempt status of bonds, must spend 85% of amount of proceeds within 3 years of given bond sale
Eligible uses of funds	Acquisition and improvement of real property; operation, maintenance and monitoring; Restoration Authority administration	Acquisition and improvement of real property; significant deferred maintenance of qualified improvements; bond-related costs
Need additional source of funding for Restoration Authority administration?	No	TBD ^d
Need amendment of enabling legislation per AB 746? ^e	Yes: extension of SFBRA sunset to enable a 20-year measure	Yes, to provide authority for issuing G.O. bonds, removing limit on amount of bonding authority, and extension of SFBRA sunset to enable 30-year bonds
Need to update Draft Expenditure Plan?	Yes: Update associated list and map of potentially eligible projects ^f	Yes: Revise to comport with bond measure provisions, eliminate ineligible activities, and update associated list of potentially eligible projects

Table 2 notes:

- a. Assumes the highest tax rates shown in Table 1.
 - b. Assumes that 2016-17 tax bills reflect parcel tax measure.
- [Notes continued on Page 4]

c. Based upon the experience and projected schedule of the Midpeninsula Open Space District for its first bond sale following June 2014 passage of its Measure AA.

d. The advice of bond professionals will be needed to determine the types of Restoration Authority administrative costs that would be eligible for payment from the proceeds of Restoration Authority bond sales.

e. If AB 647 is enacted with the necessary amendments and signed by the Governor by October 2015, then it appears that the Restoration Authority will be in a position to adopt either parcel tax or bond measure resolutions in time for the June 2016 ballot.

f. The existing draft list and map of potentially eligible projects prepared for a 2014 parcel tax measure are attached for reference.

Examples of projects anticipated to be eligible for Restoration Authority grants.

PROJECT	COUNTY	PROJECT DESCRIPTION	LEAD ORGANIZATIONS
<i>Peninsula and South Bay</i>			
Candlestick Point - Yosemite Slough	San Francisco	Completion of restoration and park improvements (entry, parking, signs, and trails), monitoring of restored wetlands, and operation and maintenance of wetlands and visitor amenities	California State Parks Foundation
China Basin	San Francisco	Design and construction of a new soft shoreline to create habitat, improve public access, and protect the park from sea level rise.	Port of San Francisco
Crissy Field Educational Programs	San Francisco	Environmental education programs for students of all ages at the Crissy Field Center. The Center offers place-based exploration that focuses on the interaction between humans and nature and makes use of the natural and cultural resources of the restored Crissy Field wetland and the Tennessee Hollow watershed.	Golden Gate National Parks Conservancy, National Park Service, Presidio Trust
Heron's Head Park	San Francisco	Design and construction of a living, natural shoreline to protect Heron's Head park from erosion and sea level rise, create habitat enhancements and protect public access; expansion of the Port's existing habitat education and outreach program for K-12 graders on Bay habitat and natural history; and removal of a creosote-pile pier in the waters to the north side of Heron's Head Park, to improve wildlife habitat.	Port of San Francisco
Islais Creek	San Francisco	Design and construction of shoreline improvements to support habitat creation, protect against erosion and remove creosote piles.	Port of San Francisco
Pier 70 - Slipways Park	San Francisco	Design and construction of a new 4-acre shoreline and park area, including natural habitat areas, living shoreline, wetlands, and public access areas.	Port of San Francisco
Pier 70 - Crane Cove Park	San Francisco	Design and construction of Phase 2 of a future 9-acre park (4-acre Phase 1 funded). Improvements include shoreline restoration, habitat creation, bay fill removal and public access.	Port of San Francisco of San Francisco
Tennessee Hollow	San Francisco	Restoration of a vibrant, contiguous, and diverse mosaic of native plant communities (freshwater marsh, freshwater meadow, and riparian) and wildlife habitat at the edge of the Bay in the Presidio, just upstream from Crissy Field; creation of hiking trails; and education, public engagement, and community stewardship opportunities at the edge of a major urban center.	Presidio Trust, National Park Service, Golden Gate National Parks Conservancy
Warm Water Cove Park	San Francisco	Design and construction of a 2-acre expanded park, including new wildlife habitat, public access, and shoreline protection.	Port of San Francisco
Bair Island	San Mateo	Restoration of 188 acres of tidal wetlands on Inner Bair Island in Redwood City, enhancement of upland transition habitat, and provision of public access amenities including trails, signs, observation platforms, and a visitor's kiosk.	San Francisco Bay National Wildlife Refuge, Ducks Unlimited, Peninsula Open Space Trust

PROJECT	COUNTY	PROJECT DESCRIPTION	LEAD ORGANIZATIONS
Coyote Point	San Mateo	Enhancement of sandy beach habitat and public access facilities.	County of San Mateo
East Palo Alto Shoreline	San Mateo	Restoration and maintenance of shoreline habitat and construction, management, and operation of public access facilities.	Midpeninsula Regional Open Space District, City of East Palo Alto
South Bay Salt Pond Restoration Project: Ravenswood	San Mateo	Upcoming project elements at Ravenswood include: wetland restoration of almost 900 acres, pond habitat enhancements for waterbirds, flood protection for adjacent communities, and new trail connections and interpretive features. The South San Francisco Bay Salt Pond Restoration Project is the largest wetland restoration project on the west coast of the United States, working to restore 15,100 acres of former industrial salt ponds. Project activities include restoration and enhancement of wetlands, construction of flood protection, construction of public access and interpretive features, including Bay Trail segments, and monitoring and studies in support of adaptive management.	San Francisco Bay National Wildlife Refuge
Don Edwards San Francisco Bay National Wildlife Refuge	San Mateo, Santa Clara	Operation and maintenance of critical levees and associated water control structures on the pond system in the southern reach of San Francisco Bay in order to provide wildlife habitat and public recreation and protect low-lying communities from flooding due to levee failures, storm events, and sea level rise.	San Francisco Bay National Wildlife Refuge
Lower San Francisquito Creek	San Mateo, Santa Clara	Ecosystem restoration, flood protection and recreation enhancement at the mouth of San Francisquito Creek, including planning and construction of the SAFER project (Strategy to Advance Flood protection, Ecosystems, and Recreation along the Bay) for the Menlo Park and East Palo Alto Shorelines.	San Francisquito Creek Joint Powers Authority
San Jose Bay Trail	Santa Clara	Completion of the Bay Trail through the City of San Jose, independently and in conjunction with large-scale wetlands restoration in the South Bay Salt Ponds. Completion of missing Bay Trail segments would link the Peninsula to the East Bay and provide, perhaps via two separate routes, a pedestrian/bicycle commute option and opportunities for hiking and wildlife viewing. Development of the Bay Trail in San Jose occurs as a primary component of the City's planned 100-mile interconnected trail network that is 55% complete at this time and guided by its General Plan and other planning documents.	City of San Jose, San Francisco Bay National Wildlife Refuge
South Bay Salt Pond Restoration Project: Alviso	Santa Clara	Upcoming project elements in the Alviso Pond Complex include: over 700 acres of wetland restoration in the Mountain View area, restoration of over 1,400 acres of wetlands in Alviso to improve fish habitat and water quality, enhancements to over 250 acres of wetlands in the Milpitas area, and new trails and interpretive features. The South San Francisco Bay Salt Pond Restoration Project is the largest wetland restoration project on the west coast of the United States, working to restore 15,100 acres of former industrial salt ponds. Project activities include restoration and enhancement of wetlands, construction of flood protection, construction of public access and interpretive features, including Bay Trail segments, and monitoring and studies in support of adaptive management.	San Francisco Bay National Wildlife Refuge, Santa Clara Valley Water District
South San Francisco Bay Shoreline Project	Santa Clara	Construction of a 3.8 mile tidal flood protection levee to protect the community of Alviso and the San Jose-Santa Clara Regional Wastewater Facility, which services 1.4 million residents and businesses in Silicon Valley; restoration, enhancement and monitoring of 2,800 acres of wetlands; and improvement of public access, including completion of the Bay Trail spine. Future feasibility studies will assess other at-risk areas in Santa Clara	U.S. Army Corps of Engineers; Santa Clara Valley Water District; State Coastal Conservancy

PROJECT	COUNTY	PROJECT DESCRIPTION	LEAD ORGANIZATIONS
		County, namely Palo Alto, Mountain View, and Sunnyvale.	
<i>East Bay</i>			
Alameda Creek Fisheries	Alameda	Restoration and enhancement of creek mouth habitats for birds, fish, water quality, and flood protection in this regionally significant watershed.	Alameda County Flood Control and Water Conservation District; Alameda Creek Alliance
Alameda Point Restoration	Alameda	Management of endangered least tern colony, restoration of shoreline areas, including wetland, beach and dune, and extension of trail to restored shoreline areas.	East Bay Regional Park District
Coyote Hills	Alameda	Restoration of marsh, seasonal wetlands, and endangered wildlife and infrastructure, and improvement of public access, including Bay Trail segments.	East Bay Regional Park District
Eden Landing Ecological Reserve	Alameda	Operation and maintenance of critical levees and associated water control structures on the pond system on the Hayward shoreline south of the San Mateo Bridge in order to provide wildlife habitat and public recreation and protecting low-lying communities from flooding due to levee failures, storm events, and sea level rise.	Calif. Department of Fish and Wildlife
Franks Tract	Alameda	Restoration of diked baylands to wetlands to benefit endangered species and other wildlife.	Hayward Area Recreation and Park District
Hayward Regional Shoreline	Alameda	Restoration of shoreline bird habitat, enhancement of endangered California least tern and salt marsh harvest mouse habitat, improvement of water quality and circulation within the wetlands, and restoration of failing shoreline levees.	East Bay Regional Park District, Hayward Area Recreation and Park District
Hayward Shoreline	Alameda	Improvements to the levees around the Oliver Salt Ponds just north of the San Mateo Bridge to reduce overtopping and flooding of western snowy plover habitat; improvements to the Bay Trail from the Hayward Shoreline Interpretive Center to Johnson's Landing to provide year-round access; and improvements to the levees near Hayward Landing to protect Triangle Marsh and prevent flooding of the adjacent landfill.	Hayward Area Recreation and Park District
Lower Sausal Creek	Alameda	Restoration and enhancement of tidal wetland habitat at the mouth of Sausal Creek and along the shoreline of the Alameda Channel at Fruitvale Bridge Park, including restoration of habitats for wildlife and water quality, improvements to public access and wildlife viewing opportunities, stabilization of eroding shoreline, public outreach and education, volunteer stewardship, and long-term monitoring and maintenance.	City of Oakland, Friends of Sausal Creek
Martin Luther King Jr. Regional Shoreline	Alameda	Installation and maintenance of trash collection facilities near the mouths of East, Elmhurst and Damon Creeks to improve wildlife habitat and water quality.	East Bay Regional Park District
Mclaughlin Eastshore State Park – Albany Beach	Alameda	Enhancement of Albany Beach by expanding beach, dune and wetlands, establishment of intertidal habitat, stabilization of eroding shoreline, improvement of water quality, and improvement of shoreline	East Bay Regional Park District

PROJECT	COUNTY	PROJECT DESCRIPTION	LEAD ORGANIZATIONS
		access to restored areas.	
McLaughlin Eastshore State Park- Berkeley Brickyard	Alameda	Rehabilitation of Berkeley Brickyard area by removing imported fill and soil contaminants, stabilizing eroding shoreline, establishing new coastal scrub and prairie, and providing shoreline access to restored areas.	East Bay Regional Park District
McLaughlin Eastshore State Park - Berkeley North Basin Strip	Alameda	Rehabilitation of Berkeley North Basin Strip and daylighting near mouth of Schoolhouse Creek, stabilization of eroding shoreline, planting of natural turf and riparian vegetation, and improvement of public access.	East Bay Regional Park District
McLaughlin Eastshore State Park – Emeryville Crescent	Alameda	Improvements to Eastshore State Park along Powell Street (the northern edge of the Emeryville Crescent), including a new bioswale to filter rain and runoff before it enters the Bay and improved opportunities for public access and wildlife viewing.	City of Emeryville, East Bay Regional Park District
Oakland Gateway Shoreline	Alameda	Restoration of eroding shoreline, removal of contaminated Bay fill, improvement of water quality, enhancement of tidal wetlands, establishment of Bay-upland transitional areas, and development of public access to restored areas.	East Bay Regional Park District
Oakport Project	Alameda	Creation of tidal wetlands and enhancement of the existing seasonal wetlands for wildlife.	City of Oakland
Oro Loma Marsh	Alameda	Reconstruction of seasonal wetlands and adjoining uplands into a treatment wetland and upland ecotone for cleaning treated wastewater and demonstrating adaptation strategies related to sea level rise, water quality protection, and infrastructure sustainability.	Oro Loma Sanitary District, East Bay Dischargers Authority
Oyster Bay Regional Shoreline	Alameda	Restoration of tidal marsh areas, prevention of shoreline erosion, protection of Bay water quality, and creation of public access to restored areas.	East Bay Regional Park District
Point Emery	Alameda	Protection of natural habitats and trail access at Point Emery using natural shoreline protection methods to reduce erosion and undercutting of the park and trail.	City of Emeryville
South Bay Salt Pond Restoration Project: Eden Landing	Alameda	Upcoming project elements at Eden Landing include: restoration of over 2,200 acres of wetlands between Old Alameda Creek and the Alameda Creek Flood Control Channel, construction of innovative flood protection elements, and completion of the Bay Trail. The South San Francisco Bay Salt Pond Restoration Project is the largest wetland restoration project on the west coast of the United States, working to restore 15,100 acres of former industrial salt ponds. Project activities include restoration and enhancement of wetlands, construction of flood protection, construction of public access and interpretive features, including Bay Trail segments, and monitoring and studies in support of adaptive management.	Calif. Dept. of Fish and Wildlife, Alameda County Flood Control and Water Conservation District
Bay Point Regional Shoreline	Contra Costa	Restoration of habitat for the endangered Delta Smelt, creation of transitional areas to filter runoff, and provision of shoreline public access to restored areas.	East Bay Regional Park District
Big Break Regional Shoreline - Oakley	Contra Costa	Protection and enhancement of habitat for the threatened California Black Rail and Giant Garter Snake, restoration of wetlands and coastal prairie, and shoreline public access to restored areas.	Delta Science Center; East Bay Regional Park District

PROJECT	COUNTY	PROJECT DESCRIPTION	LEAD ORGANIZATIONS
Brooks Island, Richmond	Contra Costa	Restoration and expansion of Caspian Tern nesting area, installation of protective fencing, and development of viewing areas away from nesting sites.	East Bay Regional Park District
Chelsea Wetlands	Contra Costa	Restoration of tidal marsh and floodplain habitat functions for wildlife and flood protection at the mouth of Pinole Creek in Hercules. Restoration of transition area between the tidal flood plain and the Pinole Creek riparian corridor.	Ducks Unlimited, Contra Costa County Flood Control and Water Conservation District
Dutch Slough	Contra Costa	Restoration of tidal wetlands to benefit fish and wildlife at the edge of the Delta on the eastern Contra Costa shoreline, including construction of associated levees to provide flood protection, and construction of public trails.	Calif. Dept. of Water Resources, Calif. Dept. of Fish and Wildlife
East Antioch Creek Marsh Restoration	Contra Costa	Restoration, enhancement and monitoring of degraded wetlands at the mouth of East Antioch Creek.	Contra Costa County Flood Control and Water Conservation District, City of Antioch
Lower Pinole Creek Restoration	Contra Costa	Enhancement of flood protection, restoration of riparian and fisheries habitat, improvement of water quality, and improvement of recreational opportunities at the mouth of Pinole Creek.	Contra Costa Resource Conservation District; City of Pinole, Contra Costa County Flood Control and Water Conservation District
Lower Walnut Creek Restoration	Contra Costa	Enhancement and restoration of wetlands and riparian habitat at the mouth of Walnut Creek to provide flood protection, improve fish passage, and enhance recreational opportunities, including construction of a creekside trail.	Contra Costa County Flood Control and Water Conservation District
Lower Wildcat Creek	Contra Costa	Restoration at the mouth of Wildcat Creek channel, removal of barriers to fish passage, and improvement of public access to restored areas.	East Bay Regional Park District, Contra Costa County Flood Control and Water Conservation District
Martinez Regional Shoreline	Contra Costa	Completion of marsh restoration to stabilize and restore the rapidly eroding "shark bite" marsh and protect water quality.	East Bay Regional Park District
Miller-Knox, Richmond	Contra Costa	Enhancement of beach, restoration of tidal lagoon and drainage, stabilization of eroding shoreline, and improvements to public access.	East Bay Regional Park District
North Richmond Shoreline - San Pablo Marsh	Contra Costa	Preservation and enhancement of San Pablo Marsh, improvement of California Clapper Rail habitat, removal of imported fill, stabilization of eroding shoreline, establishment of upland-Bay transitional areas, and development of public access for wildlife viewing and education.	East Bay Regional Park District, Contra Costa County Flood Control and Water Conservation District

PROJECT	COUNTY	PROJECT DESCRIPTION	LEAD ORGANIZATIONS
Pacheco Marsh Restoration	Contra Costa	Restoration of tidal wetland areas, reestablishment of habitat for sensitive wildlife, and creation of public access and interpretation opportunities. Adjacent to Lower Walnut Creek Restoration.	Contra Costa County Flood Control and Water Conservation District, Muir Heritage Land Trust, East Bay Regional Park District
Point Isabel, Richmond	Contra Costa	Protection and enhancement of Hoffman marsh by stabilizing eroding shorelines, removal of contaminated fill, enhancement of upland/Bay transitional areas, protection of Bay water quality, and development of public access to restored areas.	East Bay Regional Park District
Point Pinole Regional Shoreline - Breuner Marsh	Contra Costa	Restoration of wetlands and prairie at Breuner Marsh, protection of endangered California Clapper Rail and Salt Marsh Harvest Mouse habitat, and creation of public access to restored areas. Development of a San Francisco Bay Interpretive Center, with interpretive exhibits and hands-on educational programs at the restored Breuner Marsh.	East Bay Regional Park District
Point Molate, Richmond	Contra Costa	Restoration of the shoreline, enhancement of the largest eel grass population in San Francisco Bay, stabilization of eroding shorelines, removal of Bay fill, and development of public access to restored areas.	East Bay Regional Park District
Point Pinole Regional Shoreline - Lower Rheem Creek	Contra Costa	Realignment and restoration at the mouth of Rheem Creek, connecting it with restored Breuner Marsh.	East Bay Regional Park District, Contra Costa County Flood Control and Water Conservation District
Western Stege Marsh Restoration Program	Contra Costa	Restoration of tidal marsh and enhancement of adjacent upland habitat for clapper rail and other resident and migratory species.	University of California Berkeley Environmental Health and Safety
North Bay			
Benicia Shoreline	Solano	Restoration, management and monitoring of wetlands and beach habitats, protection of adjacent existing infrastructure, installation and management of public trails, and protection of wetlands and Bay from urban stormwater.	City of Benicia
Cullinan Ranch	Solano	Restoration of 1,500 acres near Vallejo, including open water for fish and other aquatic species, reuse of dredged sediment to create wetlands habitat for salt marsh harvest mice, enhanced public access opportunities, safer vehicle access off of Highway 37, levees to protect Highway 37 from flooding, and monitoring and management of restored wetlands.	San Pablo Bay National Wildlife Refuge, Ducks Unlimited
Rush Ranch	Solano	Restoration, management and monitoring of wetlands and other shoreline habitat, including the mouth of Spring Branch Creek, and installation and management of public trails.	Solano Land Trust
Suisun Marsh	Solano	Enhancement of marshes within Suisun Marsh to benefit waterfowl and shorebirds.	Calif. Department of Fish and Wildlife, Suisun Resource Conservation District

PROJECT	COUNTY	PROJECT DESCRIPTION	LEAD ORGANIZATIONS
Strip Marsh Enhancement	Solano, Sonoma	Establishment of improved water circulation in the marshes to the south of Highway 37 along the north edge of San Pablo Bay between Port Sonoma at the Petaluma River to Mare Island in Vallejo, in order to improve habitat for wildlife, improve water quality, and reduce mosquito production.	San Pablo Bay National Wildlife Refuge
Lower Napa River Wetlands	Napa, Solano	Enhancement of tidal marshes and managed wetlands on the east side of the lower Napa River, improvement of public access including new trails and interpretive elements, creation of bird islands, installation of water control structures, and monitoring and operation along the Lower Napa River, including Mare Island and Vallejo waterfront, American Canyon south to the Solano County line, and between Green Island Road and north along the tidal Napa River.	Calif. Dept. of Fish and Wildlife, Napa County Regional Park and Open Space District, City of American Canyon.
Napa-Sonoma Marshes	Napa	Stewardship, maintenance, and monitoring of restored and enhanced wetlands within the Napa-Sonoma Marshes on the west side of the lower Napa River to improve water quality and habitat values for endangered species, fish waterfowl, shorebirds, and other wildlife.	Calif. Department of Fish and Wildlife
Elderly Island and South Wetlands Opportunity Area	Napa	Development of a long-term management plan for the 45 acre Elderly Island wetland, monitoring and enhancement of the 2,000 acre South Wetland Opportunity Area, and implementation of the Napa County Youth Ecology Corps Program which aims to train young adults in natural resource management. Crews would work on invasive species management and habitat enhancement projects to enhance the resilience of tidal wetland habitat and buffer against sea level rise.	Napa County Flood Control and Water Conservation District
Lower Petaluma River	Sonoma	Enhancement of the river and wetlands to improve water quality and provide habitat for fish and wildlife; completion of trail segments and provision of water access for non-motorized boats at the mouth of the Petaluma River.	Friends of the Petaluma River, City of Petaluma, Calif. Dept. of Fish and Wildlife, Sonoma County Water Agency.
Lower Sonoma Creek	Sonoma	Restoration of wetlands and creek habitat to improve water quality, provide habitat for wildlife, and manage sediments.	Sonoma County Water Agency and others
Sears Point	Sonoma	Restoration of 955 acres of tidal wetlands, enhancement of 1,350 acres of adjacent uplands and seasonal wetlands, and provision of the County's premiere access point to the Bay with construction of 2.5 miles of the Bay Trail. Ecological and infrastructure benefits include habitat restoration, flood protection for Highway 37 and the SMART railroad, and improved water quality entering the Bay.	Sonoma Land Trust, Ducks Unlimited
Skaggs Island Restoration	Sonoma	Restoration of the 3,300 acre Skaggs Island (a former military base) and the adjacent 1,100 acre Haire Ranch to wetlands to benefit endangered species and other wildlife; creation of recreational trails and public access for wildlife viewing.	San Pablo Bay National Wildlife Refuge, Ducks Unlimited, National Resources Conservation Service
Sonoma Creek Wetlands	Sonoma	Enhancement of 400 acres of degraded tidal wetland habitat at the mouth of Sonoma Creek to simultaneously improve water quality, reduce mosquito production, enhance habitat, reduce costs, and provide public outreach and education.	Audubon California, San Pablo Bay National Wildlife Refuge

PROJECT	COUNTY	PROJECT DESCRIPTION	LEAD ORGANIZATIONS
Viansa Winery Wetlands	Sonoma	Enhancement of 90 acres of freshwater wetland habitat along lower Sonoma Creek, and improvements to water management infrastructure, enabling the winery to provide waterbird habitat longer into the summer, particularly during dry years. Complementary public access loop trails provided on the earthen berms and interpretive panels to highlight wildlife and habitat.	San Pablo Bay National Wildlife Refuge, Ducks Unlimited, Viansa Winery
Petaluma Marsh	Marin, Sonoma	Monitoring of existing and restored wetlands habitat in what is the largest historic wetlands in San Francisco Bay, and enhancement of upland refuge habitat to provide high tide refuge for wildlife and allow for adaptation to sea level rise.	Marin Audubon Society, Calif. Dept. of Fish and Wildlife
Aramburu Island	Marin	Restoration of a native oyster reef along the shoreline at Aramburu Island.	Audubon California
Bahia Wetlands	Marin	Monitoring and management of 400 acres of new marsh plain, seasonal wetland, and 35-40 acre transition zone and upland habitat.	Marin Audubon Society
Bel Marin Keys Wetlands	Marin	Design and implementation of tidal restoration in Novato, using dredged sediment to raise elevations prior to breaching, construction of a levee to protect neighboring communities from flooding, and completion of Bay Trail segments.	State Coastal Conservancy
Bothin Marsh	Marin	Creation of transitional high marsh along the back edge of Bothin Marsh by re-using dredged sediment from Coyote Creek to improve habitats and increase shoreline resiliency to sea level rise.	Marin County Flood Control District, Marin County Parks
Creek to Bay Trash Reduction Projects	Marin	Installation and maintenance of trash collection facilities near the mouths of creeks in storm drains that service high trash generation land uses (e.g. industrial, commercial, and transportation stations) to improve wildlife habitat and water quality and to prevent the flow of trash from watersheds to the San Francisco Bay.	Marin County Stormwater Pollution Prevention Program, City of San Rafael
Lower Corte Madera Creek	Marin	Enhancements to existing marshes along Corte Madera Creek and implementation of sea level rise adaptation measures by beneficially re-using dredged sediment from the lower reach of Corte Madera Creek.	Marin County Flood Control District
Lower Gallinas Creek	Marin	Improvements to replace 2.0 miles of aging coastal levees and enhancements to wetland habitats to protect the Santa Venetia community from flooding, provide for sea level rise adaptation, beneficially re-use creek sediment, reduce impacts from flood control maintenance, and improve recreation including navigation.	Marin County Flood Control District
Lower Miller Creek/McInnis Marsh	Marin	Reconnection of Gallinas and Miller Creek with restored wetlands to provide habitats for threatened and endangered species, improve flood protection capacity and sediment conveyance efficiencies, increase transitional estuarine habitats, and contribute to sea level rise adaptation.	Marin County Parks, Marin County Public Works, Las Gallinas Valley Sanitary District
Madera Bay Park	Marin	Protection and restoration of tidal marsh habitat by removing fill and providing refuge for the California clapper rail and provision of environmentally sensitive public access.	Marin Audubon Society
Novato Creek Baylands	Marin	Implementation of a natural flood protection approach to reduce flooding, increase sea level rise resiliency and increase tidal wetland and other wetland habitat along lower Novato Creek	Marin County Flood Control District and Friends of Novato Creek

PROJECT	COUNTY	PROJECT DESCRIPTION	LEAD ORGANIZATIONS
Richardson Bay	Marin	Demonstration of sand/gravel bay beach designs to combat wind-wave shoreline erosion as part of sea level rise adaptation efforts. Protection of one of the largest eelgrass beds in San Francisco Bay to provide food and shelter for fish and invertebrates and feeding grounds for migratory waterbirds.	Marin County Flood Control District, Marin County Parks, City of Mill Valley, Audubon California
Sausalito Eelgrass Preserve	Marin	Protection of important eelgrass habitat and shoreline in the City of Sausalito, restoration of tidal marsh along the shoreline and enhancement of the shoreline edge as habitat and public park.	Marin Audubon Society
Simmons Slough Seasonal Wetlands	Marin	Enhancement of seasonal wetlands for birds and other wildlife and monitor progress of enhancement work.	Marin Audubon Society
Tiscornia Marsh Restoration Project	Marin	Creation of high tide refuge habitat for Clapper Rail which inhabit the marsh. Improvements to public access on the levee top.	Marin Audubon Society
<i>Baywide Projects</i>			
Shoreline Clean-Up	Baywide	Support for Coastal Clean-up Day at sites around the Bay shoreline, to reduce the amount of trash in the Bay.	Coastal Commission, Save The Bay, cities and counties, others
Community-Based Restoration and Stewardship	Baywide	On-the-ground restoration projects, completed with volunteer labor, that create buffer areas adjacent to wetlands, re-establish native plants to provide food and cover for wildlife, and increase the resilience of habitats. Projects will engage students and community members, include monitoring and management of newly planted sites, and provide educational opportunities. Sites include Hamilton Wetlands in Novato, San Pablo Bay National Wildlife Refuge, Eden Landing Ecological Reserve in Hayward, Martin Luther King, Jr. Regional Shoreline In Oakland, and other wetland sites around the Bay.	Save The Bay, Point Blue – Students and Teachers Restoring a Watershed, and other organizations and volunteer groups
Youth Leadership Development	Baywide	Engagement of teenagers and young adults in restoration and clean-up activities, with opportunities for leadership development, job training, and education.	Conservation Corps Chapters, Save The Bay, Audubon California, The Bay Institute, and other organizations
Invasive Spartina Project	Baywide	Coordinated effort to eradicate invasive cordgrass from San Francisco Bay (which impacts wildlife habitat and flood protection) and restore and enhance native wetland plants.	Invasive Spartina Project; State Coastal Conservancy; U.S. Fish and Wildlife Service
Creosote Piling Removal	Baywide	Removal of creosote pilings in San Francisco Bay which are leaching chemicals and negatively impacting fish and wildlife and replacement with native habitat for herring spawning.	NOAA Fisheries, State Coastal Conservancy, Ports, Cities
Living Shorelines: Oyster and Eelgrass Restoration	Baywide	Restoration of eelgrass and oyster beds to provide shoreline protection from waves and erosion while providing habitat for wildlife and improving water quality.	State Coastal Conservancy, San Francisco State University, U.C. Davis, NOAA Fisheries, other organizations

PROJECT	COUNTY	PROJECT DESCRIPTION	LEAD ORGANIZATIONS
Studies to Assess and Improve Management Decisions	Baywide	Assessment of water quality, wildlife, and physical changes in the Bay, in order to assess the success of restoration and clean-up activities, apply lessons learned to future projects, and prioritize restoration activities. Examples of studies include: winter waterbird surveys, fish and wildlife surveys, aerial and satellite habitat mapping, water quality surveys, and hydrodynamic and sediment monitoring and modeling.	U.S. Fish and Wildlife Service, Calif. Department of Fish and Wildlife, Point Blue, Audubon California, San Francisco Bay Bird Observatory, San Francisco Estuary Institute, universities, other organizations

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The San Francisco Bay Restoration Authority

Fact Sheet • AB 746 (Ting)

PURPOSE

AB 746 WILL AMEND GOVERNMENT CODE SECTIONS 66703, 66704, 66704.05, AND 66706 TO CLARIFY THE SAN FRANCISCO BAY RESTORATION AUTHORITY'S (SFBRA) ABILITY TO USE ITS EXISTING POWERS TO RAISE AND ALLOCATE RESOURCES FOR THE RESTORATION, ENHANCEMENT, PROTECTION, AND ENJOYMENT OF WETLANDS AND WILDLIFE HABITAT IN THE SAN FRANCISCO BAY AND ALONG ITS SHORELINE.

BACKGROUND

SFBRA is a new regional government agency charged with raising and allocating resources for the restoration, enhancement, protection, and enjoyment of wetlands and wildlife habitat in the San Francisco Bay and along its shoreline. SFBRA was created by the California legislature in 2008 with the enactment of AB 2954 (Lieber).

Today, only 20 percent of the Bay's original wetlands remain due to filling and diking. Wetlands absorb and filter many pollutants found in runoff. They also provide natural flood control and can be an effective way to reduce the impact of future sea level rise due to global warming. By providing clean water, flood control, habitat, recreation, and economic benefits, wetlands are crucial to the health of the San Francisco Bay and the well-being of the millions of residents in the communities that surround it.

Restoring the Bay's wetlands requires long-term capital investments and SFBRA is charged with raising needed revenue by a variety of means. SFBRA has statutory powers to levy benefit assessments, special taxes, and property-related fees consistent with the requirements of Proposition 218 throughout its nine-county jurisdiction. The procedures under which elections will be conducted on any regional measure the SFBRA proposes were specified further by AB 2103 (Hill, 2010) and SB 279 (Hancock, 2013).

NEED FOR THE BILL

SFBRA's mission is to raise local revenues to help restore 36,000 acres of publicly-owned bay shoreline into tidal wetlands (AB 2954, Lieber, 2008). The estimated cost of this endeavor is about \$1.43 billion over 50 years. Only limited

federal and state funds are available for wetlands restoration projects, so SFBRA is responsible for raising new revenue to leverage these funds and narrow the remaining funding gap.

SFBRA's authorizing legislation grants the entity's Governing Board powers to carry out the Authority's mission, including powers to levy taxes and issue bonds. However the current statute includes certain limitations that effectively preclude SFBRA from using these powers to maximum benefit. AB 746 clarifies several provisions of the underlying statute to ensure that SFBRA will have the ability to issue bonds in an amount and for a duration that will allow it to fulfill the mission set out in the original act, and will have sufficient time to propose a revenue measure to finance any such bonds.

WHAT THIS BILL WOULD DO

AB 746 would:

- a) eliminate the uniquely restrictive limitation of SFBRA's bonding authority to 10% of its prior year's revenue, which makes it functionally impossible for the Authority to bond;
- b) extend SFBRA's existence to January 1, 2049, long enough for it to meet the obligations of any General Obligation Bonds or Revenue Bonds that it may issue financed by a forthcoming revenue measure for terms of up to 30 years;
- c) extend until January 1, 2019 elements of SB 279 (Hancock, 2013) providing that in the first election where SFBRA proposes a revenue measure, it is required to reimburse each county in which the measure appears on the ballot only for the incremental costs incurred by the county elections official related to submitting the measure to the voters;
- d) specify that the SFBRA chair shall be an elected official of a bayside city or county, consistent with other regional bodies chaired by elected officials from within their jurisdictions;
- e) clarify that the SFBRA currently has no state revenues, and therefore that its appropriations limit will be established based on receipts from its initial revenue measure.

These changes will allow SFBRA to move forward in planning and seeking voter approval for an appropriately robust initial revenue measure that is fully consistent with its mission.

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AMENDED IN ASSEMBLY APRIL 14, 2015

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 746

Introduced by Assembly Member Ting
(*Coauthors: Senators Hancock and Leno*)

February 25, 2015

An act to amend Sections 66703, 66704, 66704.05, and 66706 of the Government Code, relating to the San Francisco Bay Restoration Authority.

LEGISLATIVE COUNSEL'S DIGEST

AB 746, as amended, Ting, San Francisco Bay Restoration Authority.

(1) Existing law, the San Francisco Bay Restoration Authority Act, until January 1, 2029, establishes the San Francisco Bay Restoration Authority to raise and allocate resources for the restoration, enhancement, protection, and enjoyment of wetlands and wildlife habitat in the San Francisco Bay and along its shoreline. The act establishes a governing board of the authority composed of specified members, including a member who is a resident of the San Francisco Bay area who serves as the chair. The act grants to the board all powers that are necessary to carry out the act, including, among other things, the power to levy specified benefit assessments, special taxes, and *property-related* fees, and to issue revenue bonds. However, the act limits the total amount of indebtedness incurred pursuant to those provisions authorizing the issuance of revenue bonds from exceeding 10% of the authority's total revenues in the preceding fiscal year. Existing law generally requires a district to reimburse the county elections official for the actual

costs incurred in conducting an election for the district. However, the act authorizes, until January 1, 2017, the authority to reimburse only the incremental costs, as defined, that are incurred by the county elections official related to submitting a special tax measure to the voters.

This bill would delete the requirement that one member of the board, who serves as the chair, be a resident of the San Francisco Bay area and would instead require that member to be an elected official of a bayside city or county. The bill would also delete the limit on the authority's total amount of bonded indebtedness based on prior fiscal year revenues. The bill would extend to January 1, 2019, the operation of the provision authorizing the authority to reimburse county elections officials for only the incremental costs of submitting a special tax measure to the voters, expanded to apply to other specified measures that would generate revenues for the authority. The bill would postpone to January 1, 2049, the repeal date for the act, and would make related conforming changes. By imposing additional duties on local government officials with regard to implementation of the act, the bill would impose a state-mandated local program.

The act requires that the special taxes be levied, and submitted to the voters, consistent with specified provisions of the California Constitution.

This bill would additionally require the special taxes to be levied, and submitted to the voters, consistent with the requirements of Article XIII A of the California Constitution.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

- 1 SECTION 1. Section 66703 of the Government Code is
- 2 amended to read:
- 3 66703. (a) The authority shall be governed by a board
- 4 composed of seven voting members, as follows:

1 (1) One member shall be an elected official of a bayside city or
2 county with expertise in the implementation of Chapter 4.5
3 (commencing with Section 31160) of Division 21 of the Public
4 Resources Code and shall serve as the chair.

5 (2) One member shall be an elected official of a bayside city or
6 county in the North Bay. For purposes of this subdivision, the
7 North Bay consists of the Counties of Marin, Napa, Solano, and
8 Sonoma.

9 (3) One member shall be an elected official of a bayside city or
10 county in the East Bay. For purposes of this subdivision, the East
11 Bay consists of Contra Costa County and the portion of Alameda
12 County that is north of the southern boundary of the City of
13 Hayward, excluding the Delta primary zone.

14 (4) One member shall be an elected official of a bayside city or
15 county in the South Bay. For purposes of this subdivision, the
16 South Bay consists of Santa Clara County, the portion of Alameda
17 County that is south of the southern boundary of the City of
18 Hayward, and the portion of San Mateo County that is south of
19 the northern boundary of Redwood City.

20 (5) One member shall be an elected official of a bayside city or
21 county in the West Bay. For purposes of this subdivision, the West
22 Bay consists of the City and County of San Francisco and the
23 portion of San Mateo County that is north of the northern boundary
24 of Redwood City.

25 (6) Two members shall be elected officials of one or more of
26 the following:

27 (A) A bayside city or county.

28 (B) A regional park district, regional open-space district, or
29 regional park and open-space district formed pursuant to Article
30 3 (commencing with Section 5500) of Chapter 3 of Division 5 of
31 the Public Resources Code that owns or operates one or more San
32 Francisco Bay shoreline parcels.

33 (b) The Association of Bay Area Governments shall appoint
34 the members.

35 (c) Each member shall serve at the pleasure of his or her
36 appointing authority.

37 (d) A vacancy shall be filled by the Association of Bay Area
38 Governments within 90 days from the date on which the vacancy
39 occurs.

1 SEC. 2. Section 66704 of the Government Code is amended
2 to read:

3 66704. The authority has, and may exercise, all powers,
4 expressed or implied, that are necessary to carry out the intent and
5 purposes of this title, including, but not limited to, the power to
6 do all of the following:

7 (a) (1) Levy a benefit assessment, special tax levied pursuant
8 to Article 3.5 (commencing with Section 50075) of Chapter 1 of
9 Part 1 of Division 1 of Title 5, or property-related fee consistent
10 with the requirements of Articles XIII A, XIIC, and XIID of the
11 California Constitution, including, but not limited to, a benefit
12 assessment levied pursuant to paragraph (2), except that a benefit
13 assessment, special tax, or property-related fee shall not be levied
14 pursuant to this subdivision after December 31, 2048.

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

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

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

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

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

29 (E) Any other statutory authorization.

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

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

33 (d) Issue revenue bonds for any of the purposes authorized by
34 this title pursuant to the Revenue Bond Law of 1941 (Chapter 6
35 (commencing with Section 54300) of Part 1 of Division 2 of Title
36 5).

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

1 (1) The principal and interest of any bond indebtedness incurred
2 pursuant to this subdivision shall be paid and discharged prior to
3 January 1, 2049.

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

13 (f) Receive and manage a dedicated revenue source.

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

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

19 (i) Engage counsel and other professional services.

20 (j) Enter into and perform all necessary contracts.

21 (k) Enter into joint powers agreements pursuant to the Joint
22 Exercise of Powers Act (Chapter 5 (commencing with Section
23 6500) of Division 7 of Title 1).

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

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

30 SEC. 3. Section 66704.05 of the Government Code is amended
31 to read:

32 66704.05. (a) If the authority proposes a measure pursuant to
33 subdivision (a) or (e) of Section 66704 that will generate revenues,
34 the board of supervisors of the county or counties in which the
35 measure is proposed shall call a special election on the measure.
36 The special election shall be consolidated with the next regularly
37 scheduled statewide election and the measure shall be submitted
38 to the voters in the appropriate counties, consistent with the
39 requirements of ~~Article XIII C~~ or *Articles XIII A, XIII C, and XIII D*
40 of the California Constitution, as applicable.

1 (b) (1) The authority is a district, as defined in Section 317 of
2 the Elections Code. Except as otherwise provided in this section,
3 a measure proposed by the authority that requires voter approval
4 shall be submitted to the voters of the authority in accordance with
5 the provisions of the Elections Code applicable to districts,
6 including the provisions of Chapter 4 (commencing with Section
7 9300) of Division 9 of the Elections Code.

8 (2) Because the authority has no state revenues as of the
9 effective date of this paragraph, the appropriations limit for the
10 authority shall be originally established based on receipts from the
11 initial measure that would generate revenues for the authority
12 pursuant to subdivision (a), and that establishment of an
13 appropriations limit shall not be deemed a change in an
14 appropriations limit for purposes of Section 4 of Article XIII B of
15 the California Constitution.

16 (c) The authority shall file with the board of supervisors of each
17 county in which the measure shall appear on the ballot a resolution
18 of the authority requesting consolidation, and setting forth the
19 exact form of the ballot question, in accordance with Section 10403
20 of the Elections Code.

21 (d) The legal counsel for the authority shall prepare an impartial
22 analysis of the measure. The impartial analysis prepared by the
23 legal counsel for the authority shall be subject to review and
24 revision by the county counsel of the county that contains the
25 largest population, as determined by the most recent federal
26 decennial census, among those counties in which the measure will
27 be submitted to the voters.

28 (e) Each county included in the measure shall use the exact
29 ballot question, impartial analysis, and ballot language provided
30 by the authority. If two or more counties included in the measure
31 are required to prepare a translation of ballot materials into the
32 same language other than English, the county that contains the
33 largest population, as determined by the most recent federal
34 decennial census, among those counties that are required to prepare
35 a translation of ballot materials into the same language other than
36 English shall prepare the translation and that translation shall be
37 used by the other county or counties, as applicable.

38 (f) Notwithstanding Section 13116 of the Elections Code, if a
39 measure proposed by the authority pursuant to this article is
40 submitted to the voters of the authority in two or more counties,

1 the elections officials of those counties shall mutually agree to use
2 the same letter designation for the measure.

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

5 (h) (1) Notwithstanding Section 10520 of the Elections Code,
6 for the first election at which the authority proposes a measure
7 pursuant to subdivision (a) or (e) of Section 66704 that would
8 generate revenues, the authority shall reimburse each county in
9 which that measure appears on the ballot only for the incremental
10 costs incurred by the county elections official related to submitting
11 the measure to the voters.

12 (2) For purposes of this subdivision, “incremental costs” include
13 all of the following:

14 (A) The cost to prepare, review, and revise the impartial analysis
15 of the measure that is required by subdivision (d).

16 (B) The cost to prepare a translation of ballot materials into a
17 language other than English by any county, as described in
18 subdivision (e).

19 (C) The additional costs that exceed the costs incurred for other
20 election races or ballot measures, if any, appearing on the same
21 ballot in each county in which the measure appears on the ballot,
22 including both of the following:

23 (i) The printing and mailing of ballot materials.

24 (ii) The canvass of the vote regarding the measure pursuant to
25 Division 15 of the Elections Code.

26 (3) This subdivision is repealed on January 1, 2019.

27 SEC. 4. Section 66706 of the Government Code is amended
28 to read:

29 66706. This title shall remain in effect only until January 1,
30 2049, and as of that date is repealed, unless a later enacted statute,
31 that is enacted before January 1, 2049, deletes or extends that date.

32 SEC. 5. The Legislature finds and declares that the San
33 Francisco Bay Restoration Authority has not assumed any existing
34 duties from another local or state government entity and has
35 received no state or local government revenues not counted toward
36 another entity’s appropriations limit. Therefore, the authority has
37 no associated appropriations limit pursuant to Article XIII B of the
38 California Constitution as of the date of enactment of this bill.

39 SEC. 6. No reimbursement is required by this act pursuant to
40 Section 6 of Article XIII B of the California Constitution because

- 1 a local agency or school district has the authority to levy service
- 2 charges, fees, or assessments sufficient to pay for the program or
- 3 level of service mandated by this act, within the meaning of Section
- 4 17556 of the Government Code.

O

SAN FRANCISCO BAY RESTORATION AUTHORITY

DRAFT SCHEDULE OF TASKS, GOVERNING BOARD DECISIONS & DEADLINES THROUGH JUNE 2016 ELECTION (rev. 4-15-15)

NOTES: 1. EXCLUDES CAMPAIGN ACTIVITIES EXCEPT AS EXPRESSLY NOTED. 2. ALL TASKS WILL BE UNDERTAKEN IN CLOSE CONSULTATION WITH INTERESTED PARTIES

TOPIC	QUARTER AND CALENDAR YEAR				
	Q2 2015 Governing Board Mtgs.: Apr. 22 & June 24	Q3 2015 Governing Board Mtg.: Sept. 16	Q4 2015 Governing Board Mtg.: Nov. 18	Q1 2016 Governing Board Mtgs.: TBD	Q2 2016 Governing Board Mtgs.: TBD
FUNDRAISING - Co. ballot costs - Polling - Outside counsel & technical advisors - Filing fees	Apr. 22 GB meeting: analyze outcomes of March-April poll After Gov. Bd.'s April 22 decision whether to focus on a bond or parcel tax, secure funding for ballot costs, polling, appropriate outside counsel and technical advisors, and filing fees.	Sept. 16 GB meeting: select window for Q4 Restoration Authority tracking poll, authorize expenditure, select polling consultants, ID GB members for designing poll. If a bond measure is still an option, then by Sept. 1, funds for bond counsel and municipal bond advisors must be in ABAG's Restoration Authority account. Alternatively, funding for parcel tax advisors must be available by Oct. 1 Funds for a pre-resolution tracking poll must be in ABAG's Restoration Authority account by Oct. 1.	Nov. 1: To support Nov. 18 GB decision to move forward with June 2016 measure, need commitments of funding to cover ballot costs and for filing fees, if any. (Form of "commitment" TBD.) Conduct and analyze outcomes of tracking poll. Nov. 1: To support Nov. 18 GB decision to move forward with June 2016 measure, need analysis of outcomes of Q4 poll.		
POLLING - Benchmark - Tracking	Apr. 22 GB meeting: analyze outcomes of March-April poll	Sept. 16 GB meeting: select window for Q4 Restoration Authority tracking poll, authorize expenditure, select polling consultants, ID GB members for designing poll.	Nov. 1: To support Nov. 18 GB decision to move forward with June 2016 measure, need analysis of outcomes of Q4 poll.		
REVENUE MEASURE -Revenue-raising mechanism -Expenditure plan -Resolutions	Pursue AB 746 to facilitate either a parcel tax measure or a bond measure. Begin updating expenditure plan and list of potentially eligible projects. Evaluate pros and cons of June vs. Nov. 2016 ballot. Engage and manage outside counsel and technical advisors--needs will vary depending upon whether RA has decided to pursue parcel tax or bond measure. April 22 GB meeting: Confirm or revise major terms of ballot measure and ID any terms requiring further investigation, and select June 2016 or Nov. 2016 ballot.	Assemble all info needed for Nov. 18 decision whether to put measure on June 2016 ballot. Inform GB about key advice from outside counsel and technical advisors. Complete draft updates to expenditure plan Sept. 16: Approve or provide feedback to staff regarding draft modifications to expenditure plan and list of potentially eligible projects. If pursuit of a bond measure is still an option, outside bond counsel and municipal finance advisors should be under contract and developing advice as needed.	Tentative suggested deadline for the Restoration Authority to adopt ballot measure resolutions is January 6. This deadline would leave the rest of January and all of February to secure all Board of Supervisors' resolutions or county administrative actions in time for the estimated March 11 county ballot measure filing deadline. It may be better for the Restoration Authority to adopt the resos before the holidays, either at its Nov. 18 meeting or at a special meeting in December.	[Following adoption of ballot measure resolutions by Governing Board, campaign by others begins.] Ensure that county Boards of Supervisors and staff take all steps needed to file measure by March 11 (estimated filing deadline) June 7 election	[Campaign by others.]
BALLOT ACCESS -Coordination among counties -SFBRA relations with each county -County election charges	Pursue AB 746 to extend SB279. Develop & provide the GB a schedule and strategy for sustaining prior agreements with Counties and adjusting to any pertinent new developments. June 24 GB meeting: Direct staff to implement strategy for sustaining prior agreements with Counties and adjusting to any pertinent new developments.	Pursue AB 746 to extend SB279. Implement strategy for sustaining prior agreements with Counties and adjusting to any pertinent new developments. Nov. 18: Determine whether ballot access costs and other arrangements with counties are suitable for continuing to work toward a 2016 ballot measure. Nov. 1: To support Nov. 18 GB decision to move forward with June 2016 measure, need reasonable certainty about ballot access arrangements, costs and funding.	Implement strategy for sustaining prior agreements with Counties and adjusting to any pertinent new developments.		
OUTREACH, EDUCATION & COMMUNICATION -Ed. Program by others -Key leaders -Advisory Cmte.	Update Advisory Cmte. & deploy for outreach and feedback. Conduct public education program Contact key leaders and report on responses; report on feedback from Advisory Cmte. outreach.	Update Advisory Cmte. & deploy for outreach and feedback Conduct public education program	Update Advisory Cmte. & deploy for outreach and feedback. Nov. 18: Determine whether support by key leaders and others warrants continuing work toward a 2016 ballot measure. Nov. 1: To support Nov. 18 GB decision to move forward with June 2016 measure, need reasonable certainty about support by key leaders.	Update Advisory Cmte. & deploy for outreach and feedback.	
ADMINISTRATION -Pre- and post-election	Pursue AB 746 to extend sunset date of SFBRA and modify eligibility criteria for Chair.	Pursue AB 746 to extend sunset date of SFBRA and modify eligibility criteria for Chair. Review post-enactment administrative needs and confirm or modify strategy to meet those needs (e.g., Restoration Authority to hire staff or enter into JPA, etc.). Prepare and post financial statement for FY14/15. Sept. 16: Approve financial statement for FY 14/15.	Nov. 18: Identify preferred and alternative options for arrangements for administering revenue pursuant to a revenue measure. Nov. 1: To support Nov. 18 decision to move forward with June 2016 measure, need reasonable certainty about post-election administrative structure and funding to support decision to move forward.	Begin refining plans for post-election administration	Refine plans for post-election administration

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