



Governing Board

MEETING AGENDA

Wednesday, May 28, 2014
1:00 p.m. to 3:00 p.m.

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

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

Vice Chair John Gioia, Supervisor, County of Contra Costa County, will call the meeting to order.

2. Roll Call

3. Public Comments

4. Announcements

5. Approval of Summary Minutes of April 23, 2014

Action

Attachment: Summary Minutes for April 23, 2014

6. Vice Chair's Report

Information

Gioia

A. Appointment of New Chair

B. External Public Education Program

7. Review Status of Threshold Issues

Discussion

Gioia

A. Analysis of Tracking Poll

Ruth Bernstein, EMC Research

Attachment: EMC Research Survey Likely Voters April/May 2014

B. Key Supporters

Patrick Band, Save The Bay

Attachment: List of Supporters

C. Ballot Access Funding

Sam Schuchat, Executive Officer, California State Coastal Conservancy

8. Grant Operations

Discussion

Dave Pine, Supervisor, County of San Mateo

9. Report on Ballot Measure Letter and Location

Discussion

Pine

10. Review and Vote on Resolutions

Action

Schuchat

Attachments: Resolution 7, Ballot Measure; Resolution 8, Calling Special Election

11. Adjournment

Next meeting is on July 23, 2014, 1:00 p.m. to 3:00 p.m.

Agenda submitted by the Clerk of the Governing Board:
May 21, 2014

Agenda posted:
May 22, 2014



Governing Board

SUMMARY MINUTES (DRAFT)

Wednesday, April 23, 2014
1:00 p.m. to 3:00 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

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1. Call to Order

John Gioia, Vice Chair, called the meeting to order at about 1:00 p.m.

2. Roll Call

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

Present were Keith Caldwell, Cindy Chavez (joined at about 1:17 p.m. by teleconference; not counted toward quorum), Rosanne Foust, John Gioia, Dave Pine (joined at about 1:05 p.m.), John Sutter.

Present were Ezra Rapport and Kenneth Moy (ABAG); Judy Kelly and Karen McDowell (San Francisco Estuary Partnership); Samuel Schuchat, Amy Roach, Amy Hutzel and Melanie Denninger (California State Coastal Conservancy).

3. Public Comments

John Coleman, Bay Planning Coalition, announced the Bay Planning Coalition's Decision Makers Conference on May 16, 2014.

There were no other public comments.

4. Announcements

Schuchat announced upcoming San Francisco Bay Joint Venture tours.

There were no other announcements.

5. Approval of Summary Minutes of March 19, 2014

Gioia recognized a motion by Sutter and a second by Foust to approve the summary minutes of the Governing Board meeting on March 19, 2014. There was no discussion. The motion passed unanimously.

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

Nays: None.

Abstentions: None.

Absent: None.

6. Vice Chair's Report

A. Appointment of New Chair

Gioia reported that the Executive Board of the Association of Bay Area Governments is expected to take action on the appointment of a new Chair of the Governing Board at its May meeting. ABAG staff members are conducting outreach.

B. External Public Education Program

David Lewis, Save The Bay, reported on the "Our Bay on the Brink" program by Save The Bay, Resources Legacy Fund, Bay Area Council, State Coastal Conservancy, Silicon Valley Leadership Group, and others.

C. Joint Powers Agreement

Sam Schuchat, Executive Director, California State Coastal Conservancy, reported on the status of Conservancy's expected action on the joint powers agreement at its October meeting.

7. Fundraising for Ballot Advisors, Tracking Poll, and Ballot Access

Moy reported that the Board of the ABAG Finance Authority for Nonprofit Corporations has decided to award a grant to the Restoration Authority in the amount of \$85,000 to \$90,000 for ballot access costs.

Gioia recognized a motion by Foust and a second by Caldwell to authorize the Treasurer of the Restoration Authority to accept a grant from the ABAG Finance Authority for Nonprofit Corporation and to expend grant funds for ballot access costs and to delegate to the Vice Chair the authority to negotiate the conditions of acceptance of the grant.

Members discussed types of ballot access costs and conditions of accepting grant.

The motion passed unanimously.

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

Nays: None.

Abstentions: None.

Absent: None.

8. Report on Ballot Access

Schuchat reported on the work of staff members and Save The Bay staff members with county registrars on the likely cost for a regional nine-county ballot measure in November. He reviewed estimates of county costs with a non-binding total of about \$1,920,682.

Chavez joined at about 1:17 p.m. by teleconference.

Members discussed county ballot costs and breakdown of county expenses.

9. Discretionary Provisions of Ballot Measure

Dave Pine, Supervisor, County of San Mateo, reported that the Ad Hoc Ballot Measure Committee met to review ballot measure discretionary provisions. The committee recommended a \$9 parcel tax, a 10-year duration, and no exemptions.

Members discussed multiple parcels owned by an individual, allowing public or non-profit parcel owners who are generally exempted to opt-in,

Gioia recognized a motion by Pine and a second by Foust to approve the recommendations of the Ad Hoc Ballot Measure Committee regarding the discretionary provisions of the ballot measure, including a \$9 parcel tax, for a 10-year duration, no exemptions in the measure, and multiple parcel owners are treated the same as single parcel owners. There was no discussion. The motion passed unanimously.

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

Nays: None.

Abstentions: None.

Absent: None.

10. Staff Report on Final Draft Expenditure Plan

Schuchat reported on the final Draft Expenditure Plan which includes changes proposed by members at the last Governing Board meeting and was reviewed by the Ad Hoc Ballot Measure Committee. He noted the number of public comments received; additional editing by staff based on information from Remcho; the 5% cap on allowable governmental purposes consistent with the objectives of the measure; and one-time costs above the 5% cap on allowable governmental purposes.

Members discussed changes to the final Draft Expenditure Plan regarding the jurisdiction of the Restoration Authority; the geographic distribution of projects across the region and ensuring projects are funded in each nine Bay Area counties.

Members of the public commented as follows:

John Coleman, Bay Planning Coalition, commented on the allocation of equal benefits for each county, leveraging funds, integrated flood protection, and maintenance.

Arthur Feinstein, Bay Area Chapter of the Sierra Club, commented on maintenance, stewardship, and monitoring of projects; goals and criteria; and integrated flood protection.

Members discussed the program descriptions and the cap on allowable government and ballot costs.

Gioia recognized a motion by Caldwell and a second by Sutter to direct the Ad Hoc Ballot Measure Committee to continue working on the ballot measure as discussed. There was no discussion. The motion passed unanimously.

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

Nays: None.

Abstentions: None.

Absent: None.

Motion passed.

11. Review 75-word Ballot Question and Form of Resolution

Moy introduced Tom Willis, Remcho, Johansen & Purcell, who reported on draft resolutions calling for a special election and approving parcel tax measure for voter approval. He reviewed a list of decisions concerning the proposed parcel tax.

Members discussed providing exemptions in the future; administration of tax; the text of the initiative; the 75-word ballot description; and review of materials by the Santa Clara County registrar.

Members directed staff to correct the differences in the text of the initiative, the Draft Expenditure Plan, and the 75-word ballot description, and other changes as discussed.

12. Tracking Poll: Proposed Questions and Timeline

Schuchat introduced Ruth Bernstein, EMC Research, who reported on the tracking poll. She reviewed the tracking poll objectives, the draft tracking poll questions, and timeline.

Members reviewed the final questions in the tracking poll and the timeline.

13. San Francisco Bay Joint Venture Wetland Tours

Schuchat reported on the San Francisco Bay Joint Venture Wetlands Tours schedule. He encouraged members to participate.

14. Adjournment

Schuchat reported on continuing efforts regarding funds for ballot costs and members discussed its implications.

The Governing Board meeting adjourned at about 3:00 p.m.

Next meeting is on May 28, 2014, 1:00 p.m. to 3:00 p.m.

Submitted by the Clerk of the Governing Board:
May 2, 2014

Approved by the Governing Board:
TBD

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Survey of Likely 2014 Bay Area Voters April 27, 2014 – May 7, 2014 n=1000, Margin of Error = ± 3.1 points EMC Research #14-5215

Where applicable, results are compared with:

Table with 3 columns: March 29-April 2, 2006 (N=500; MoE: ±4.4); July 5-14, 2011 (N=1500; MoE: ±2.43); May 9-16, 2013 (N=1000; MoE: ±3.1). Includes EMC IDs and comparison dates.

All numbers in this document represent percentage (%) values, unless otherwise noted. Please note that due to rounding, percentages may not add up to exactly 100.

Hello, my name is _____, may I speak with _____ (Name on list)?

Hello, my name is _____, and I'm calling from EMC Research to find out how people in The Bay Area feel about some of the different issues facing them. We are not trying to sell anything, and are collecting this information on a scientific and completely confidential basis.

- 1. Are you registered to vote at your current address? Yes 100, No -> TERMINATE
2. I know it's a long way off, but what are the chances that you will vote in the 2014 general election... Almost certain/ Definitely 86, Probably 9, 50/50 chance 4, Will not vote -> TERMINATE, Don't know -> TERMINATE

3. Do you feel that things in the Bay Area are generally going in the right direction or do you feel things have gotten pretty seriously off on the wrong track?

	2006	2011	2013	2014
Right Direction	38	35	50	50
Wrong Track	46	46	36	31
(Don't know)	16	20	14	19

4. Now, I'm going to read you a measure that may appear on the ballot in the future:

San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Program.

To protect and restore San Francisco Bay to benefit future generations by reducing trash, pollution and harmful toxins, improving water quality, restoring habitat for fish, birds and wildlife, protecting communities from floods and increasing shoreline public access, shall the San Francisco Bay Restoration Authority levy an annual parcel tax of nine dollars per year for ten years with citizen oversight, audits, and all funds staying local?

If the election were held today, would you vote Yes to approve or No to reject this measure? **(IF Undecided: Well, which way do you lean — toward voting Yes to approve or voting No to reject the measure?)**

Yes approve	62	
(Undecided, lean yes)	6	→68
No reject	23	
(Undecided, lean no)	2	→25
(Don't know/ Refused)	6	

5. Based on what you know, how would you rate the overall condition of the San Francisco Bay?

SCALE:	Excellent	Good	Only Fair	Poor	(Don't know)
4/2014	3	38	37	12	10
5/2013	5	37	40	10	8
7/2011	4	41	37	9	8
8/2010	3	40	43	10	5
4/2006	-	-	-	-	-

6. Which of the following is closer to your opinion (**read and randomize choices 1 & 2. Read "OR" between 2 statements. Do not read numbers.**)

	2006	2011	2013	2014
¹ I am willing to invest in the Bay, even if it means a small increase in my taxes	75	54	52	59
² There are too many other priorities in this area, I would not support even a small tax increase for the Bay	21	38	33	31
(Both)	-	1	3	2
(Neither)	1	3	6	3

¹ For 2006, and 2011: I am willing to invest in wetland restoration around the Bay, even if it means a small increase in my taxes.

² For 2006, and 2011: There are too many other priorities in this area, I would not support even a small tax increase for wetland restoration around the Bay.

I'm going to read you some things people have said in support of this Bay restoration measure. For each statement please tell me how compelling this is as a reason to support the measure. Please use a scale from 1 to 7 where one is not at all compelling and seven is a very compelling reason to support a Bay restoration measure.

(IF NEEDED) ...How compelling is that as a reason to support a Bay restoration measure? One is not at all compelling and seven is very compelling.

	Not at all compelling						Very compelling	(Don't know)	Mean
SCALE:	1	2	3	4	5	6	7		
(RANDOMIZE)									
7.	This measure will significantly improve wildlife habitat and will bring back varieties of fish, birds and mammals to our Bay.								
	10	4	7	10	18	18	32	2	5.07
8.	Over the last century, we have had a massive impact on the Bay with landfill and toxic pollution. It is not too late to reverse what we've done and restore the bay for future generations.								
	9	3	7	11	19	18	32	2	5.13
9.	If we want our children and grandchildren to inherit a clean and healthy San Francisco Bay – one that will be part of their lives the way it is part of ours – we need to act now to clean up and restore it.								
	9	4	7	9	17	17	36	1	5.19
10.	Pollution of the Bay has put the health of fish and wildlife at serious risk. Fish from the Bay are contaminated with harmful chemicals like PCB's, mercury and pesticides. Restoring the Bay is the key to reducing the toxins that threaten our fish and wildlife.								
	9	2	7	10	18	18	35	2	5.20
11.	San Francisco Bay is a part of all of our lives – whether we live along the Bay; work there; walk, jog, or visit parks along its shores; or simply appreciate it as we drive over a bridge. The Bay is essential to our quality of life and this measure is a critical step to keeping it clean and healthy.								
	9	4	6	10	20	18	32	1	5.11
12.	The Bay Area Council, the Silicon Valley Leadership Group, and hundreds of businesses around the Bay Area are supporting this measure because it is good for our community and economic health.								
	12	5	10	15	21	14	21	2	4.55

(END RANDOMIZE)

13. Given what you've heard, if the election were held today, would you vote Yes to approve or No to reject a measure that reads:

San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Program.

To protect and restore San Francisco Bay to benefit future generations by reducing trash, pollution and harmful toxins, improving water quality, restoring habitat for fish, birds and wildlife, protecting communities from floods and increasing shoreline public access, shall the San Francisco Bay Restoration Authority levy an annual parcel tax of nine dollars per year for ten years with citizen oversight, audits, and all funds staying local?

If the election were held today, would you vote Yes to approve or No to reject this measure? **(IF Undecided:** Well, which way do you lean — toward voting Yes to approve or voting No to reject the measure?)

Yes approve	69	
(Undecided, lean yes)	3	→72
No reject	25	
(Undecided, lean no)	1	→25
(Don't know/ Refused)	3	

Now I'd like to ask you a few questions for statistical purposes only.

14. Do you primarily consider yourself to be African-American, White, Hispanic, Asian or something else:

	<u>2006</u>	<u>2011</u>	<u>2013</u>	<u>2014</u>
African-American/ Black	4	5	5	4
White	70	66	64	65
Hispanic/ Latino/ Latin-American	7	8	9	10
Asian/ Asian-Am/ Pacific Islander	7	11	9	9
(Bi-racial/ Multi-racial)	-	-	-	5
Something else/ other	6	3	7	3
(Refused)	6	7	6	5

15. In what year were you born? (Do not read categories, code as appropriate)

	<u>2006</u>	<u>2011</u>	<u>2013</u>	<u>2014</u>
1949 or earlier (65+)	19	19	27	31
1950-1954 (60-64)	11	10	12	12
1955-1959 (55-59)	11	10	14	10
1960-1964 (50-54)	13	9	8	9
1965-1969 (45-49)	9	11	7	9
1970-1974 (40-44)	12	8	7	6
1975-1979 (35-39)	6	8	7	5
1980-1984 (30-34)	5	6	4	4
1985-1989 (25-29)	4	5	3	2
1990-1996 (18-24)	7	8	5	4
(Refused)	3	5	6	7

THANK YOU!

SEX (RECORD BY OBSERVATION)

	<u>2006</u>	<u>2011</u>	<u>2013</u>	<u>2014</u>
Male	47	47	48	48
Female	53	53	52	52

Party (From Sample)

	<u>2006</u>	<u>2011</u>	<u>2013</u>	<u>2014</u>
Democrat	54	53	53	53
Republican	25	21	22	22
NPP/Other	21	27	25	25

Permanent Absentee (From Sample)

		<u>2011</u>	<u>2013</u>	<u>2014</u>
Yes	-	55	64	62
No	-	45	36	38

County (From Sample)

	<u>2006</u>	<u>2011</u>	<u>2013</u>	<u>2014</u>
Alameda	21	20	20	20
Contra Costa	14	15	15	15
Marin	5	4	5	5
Napa	3	2	2	2
San Francisco	11	13	12	12
San Mateo	11	10	10	10
Santa Clara	22	22	23	22
Solano	6	7	5	6
Sonoma	8	7	8	8

Vote History (From Sample)

	<u>2006</u>	<u>2011</u>	<u>2013</u>	<u>2014</u>
0-3/6	-	41	28	29
4-5/6	-	29	35	32
6/6	-	30	38	39

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Supporters

The following organizations and officials have expressed support for the work of the San Francisco Bay Restoration Authority to raise local funding for Bay restoration.

United States Congress

Congressmember Anna Eshoo
Congressmember Mike Honda
Congressmember Jared Huffman
Congressmember Barbara Lee
Congressmember Zoe Lofgren
Congressmember George Miller
Congressmember Jackie Speier
Congressmember Eric Swalwell
Fmr. Congressmember Lynn Woolsey

Legislature & Statewide Officers

Lieutenant Governor Gavin Newsom
Treasurer Bill Lockyer
Superintendent of Public Instruction
Tom Torlakson
Senator Jim Beall
Senator Ellen Corbett
Senator Mark DeSaulnier
Senator Noreen Evans
Senator Loni Hancock
Senator Jerry Hill
Senator Mark Leno
Senator Lois Wolk
Fmr. Senator Elaine Alquist
Assemblymember Tom Ammiano
Assemblymember Susan Bonilla
Assemblymember Joan Buchannan
Assemblymember Rob Bonta
Assemblymember Wes Chesbro
Assemblymember Paul Fong
Assemblymember Richard Gordon
Assemblymember Marc Levine
Assemblymember Kevin Mullin
Assemblymember Bill Quirk
Assemblymember Nancy Skinner
Assemblymember Phil Ting
Assemblymember Bob Wieckowski

Fmr. Assemblymember Michael Allen
Fmr. Assemblymember Sally Lieber
Fmr. Assemblymember Fiona Ma
Fmr. Assemblymember Sandre Swanson

County Supervisors

Alameda County Supervisor Keith Carson
Alameda County Supervisor Wilma Chan
Alameda County Supervisor Scott Haggerty
Alameda County Supervisor Nate Miley
Alameda County Supervisor Richard Valle
Contra Costa County Supervisor John Gioia
Contra Costa County Supervisor Federal Glover
Contra Costa County Supervisor Karen Mitchoff
Contra Costa County Supervisor Mary Piepho
Marin County Board of Supervisors
Marin County Supervisor Susan Adams
Marin County Supervisor Steven Kinsey
Marin County Supervisor Katie Rice
Marin County Supervisor Kathrin Sears
Napa County Supervisor Keith Caldwell
Napa County Supervisor Bill Dodd
Napa County Supervisor Brad Wagenknecht
San Francisco Supervisor John Avalos
San Francisco Supervisor London Breed
San Francisco Supervisor David Campos
San Francisco Supervisor David Chiu
San Francisco Supervisor Malia Cohen
San Francisco Supervisor Jane Kim
San Francisco Supervisor Eric Mar
San Francisco Supervisor Katy Tang
San Francisco Supervisor Scott Wiener
San Francisco Supervisor Norman Yee
San Mateo County Supervisor Carole Groom
San Mateo County Supervisor Don Horsley
San Mateo County Supervisor Dave Pine
San Mateo County Supervisor Warren Slocum
San Mateo County Supervisor Adrienne J. Tissier

County Supervisors (cont.)

Santa Clara County Supervisor Cindy Chavez
Santa Clara County Supervisor S. Joseph Simitian
Santa Clara County Supervisor Ken Yeager
Solano County Supervisor Erin Hannigan
Solano County Supervisor Linda Seifert
Sonoma County Supervisor Susan Gorin
Sonoma County Supervisor Mike McGuire
Sonoma County Supervisor Shirlee Zane

Business Groups

Bay Area Council
San Mateo County Economic Development
Association
Silicon Valley Leadership Group
Redwood City-San Mateo County Chamber of
Commerce

Public Agencies

Association of Bay Area Governments (ABAG)
East Bay Regional Park District
Hayward Area Recreation and Park District
San Francisco Estuary Partnership
Santa Clara Valley Water District

Environmental Organizations

Audubon California
Bay Area Open Space Council
The Bay Institute
California League of Conservation Voters
California Sportfishing Protection Alliance
California State Parks Foundation
Citizens Committee to Complete the Refuge
Clean Water Action
Coastwalk California
Committee for Green Foothills
Defenders of Wildlife
Ducks Unlimited
Environment California
Environmental Action Committee of West Marin
Environmental Defense Fund
Friends of Adobe Creek
Friends of Bedwell Bayfront Park
Friends of Cordilleras Creek
Friends of Corte Madera Creek Watershed

Friends of Coyote Creek Watershed
Friends of Five Creeks
Friends of Gallinas Creek
Friends of Los Gatos Creek
Friends of the Napa River
Friends of the San Leandro Creek
Friends of Sausal Creek
Gallinas Watershed Council
Greenaction for Health and Environmental Justice
Greenbelt Alliance
Golden Gate Audubon Society
Lake Merritt Institute
League of Conservation Voters of the East Bay
Literacy for Environmental Justice
Madrone Audubon Society
Marin Audubon Society
Marin Baylands Advocates
Marin Conservation League
Marin Open Space Trust
Marine Science Institute
Mission Creek Conservancy
Mount Diablo Audubon Society
Napa Solano Audubon Society
The Nature Conservancy
Peninsula Open Space Trust
The Regional Parks Association
San Francisco Bay Joint Venture
San Francisco Baykeeper
San Francisco League of Conservation Voters
San Pablo Creek Watershed Neighbors Education
and Restoration Society (SPAWNERS)
Santa Clara County Creeks Coalition
Santa Clara League of Conservation Voters
Santa Clara Valley Audubon Society
Save The Bay
Sonoma County Conservation Action
Sonoma Land Trust
The Trust for Public Land
Urban Creeks Council
Volunteers for Outdoor California
Walnut Creek Open Space Foundation
West County Toxics Coalition
WildCare

Community Organizations

East Bay Bicycle Coalition
Marin County Bicycle Coalition
Napa County Bicycle Coalition
Piedmont Garden Club
San Francisco Bicycle Coalition
Sonoma County Bicycle Coalition
San Francisco Bay Trail Project
Silicon Valley Bicycle Coalition
SPUR
Trails for Richmond Action Committee
Transform
Woodside-Atherton Garden Club

Democratic Organizations

Alameda County Democratic Party
Democratic Party of Contra Costa County
Marin County Democratic Party
Napa County Democratic Party
San Mateo County Democratic Party
Sonoma County Democratic Party
Sonoma County Young Democrats

Local Electeds & Community Leaders

Margaret Abe-Koga, Mountain View Councilmember
Lionel Allan, Monte Sereno Councilmember
Jesse Arreguín, Berkeley Councilmember
Denise Athas, Novato Councilmember
Ruth Atkin, Emeryville Councilmember
Mitch Avalon, Contra Costa County Public Works
Department
Anamarie Avila Farias, Martinez Councilmember
Vinnie Bacon, Fremont Councilmember
Ian Bain, Redwood City Councilmember
Tom Bates, Berkeley Mayor
Jovanka Beckles, Richmond Vice Mayor
Marc Berman, Palo Alto Councilmember
Desley Brooks, Oakland Councilmember
Michael Brownrigg, Burlingame Mayor
Ronit Bryant, Mountain View Councilmember
Tom Butt, Richmond Councilmember
Genoveva Garcia Calloway, San Pablo
Councilmember
Tom Campbell, Benicia Vice Mayor
David Canepa, Daly City Mayor

Erin Carlstrom, Santa Rosa Councilmember
Suzanne Chan, Fremont Councilmember
Stewart Chen, Alameda Councilmember
Kansen Chu, San Jose Councilmember
Chris Clark, Mountain View Mayor
Kate Colin, San Rafael Councilmember
Julie Combs, Santa Rosa Councilmember
W. Clarke Conway, Brisbane Mayor
Thomas Cromwell, Belvedere Mayor
Pauline Cutter, San Leandro Councilmember
Lara DeLaney, Martinez Vice Mayor
Myrna deVera, Hercules Mayor
John Dell'Osso, Cotati Mayor
Pippin Dew-Costa, Vallejo City Councilmember
Whitney Dotson, Vice President, East Bay Regional
Park District Board
Peter Drekmeier, Fmr. Palo Alto Mayor
Ted Driscoll, Fmr. Portola Valley Councilmember
Emily Duncan, Union City Vice Mayor
Carol Dutra-Vernaci, Union City Mayor
Jose Esteves, Milpitas Mayor
Thomas Ferrito, Fmr. Los Gatos Mayor
Tim Flaherty, Pleasant Hill Mayor
Rosanne Foust, Redwood City Councilmember
Maureen Freshchet, San Mateo Councilmember
Rich Garberino, South San Francisco Vice Mayor
Leon Garcia, American Canyon Mayor
Pat Gascoscas, Union City Councilmember
David Glass, Petaluma Mayor
Renee Goddard, Fairfax Town Councilmember
Michael Gregory, San Leandro Councilmember
Pradeep Gupta, South San Francisco
Councilmember
Anne Halstead, SPUR Chair
David Hampton, Rio Vista Councilmember
Kevin Haroff, Larkspur Councilmember
William J. Harrison, Fremont Mayor
David Haubert, Dublin Councilmember
Mike Healy, Petaluma Councilmember
Rose Herrera, San Jose Councilmember
Kathleen Hoertkorn, Ross Town Councilmember
Reuben Holoher, Millbrae Councilmember
Minane Jameson, Board Director, Hayward Area
Recreation and Park District
Cameron Johnson, San Carlos Councilmember
Mark Joseph, American Canyon Councilmember

* Titles are for identification purposes only.

Local Electeds & Community Leaders (cont.)

Dan Kalb, Oakland Councilmember
Ash Kalra, San Jose Councilmember
Mike Kasperzak, Mountain View Councilmember
Gabe Kearney, Petaluma Councilmember
Jerry Kent, East Bay Regional Park District (Ret)
Kirsten Keith, Menlo Park Councilmember
Larry Klein, Palo Alto Councilmember
Liz Kniss, Palo Alto Vice Mayor
Beverly Lane, East Bay Regional Park District Board
Gustav Larsson, Sunnyvale Councilmember
Kenneth Leary, American Canyon Councilmember
Benny Lee, San Leandro Councilmember
Wayne Lee, Millbrae Mayor
Clifford Lentz, Brisbane Councilmember
Linda LeZotte, Santa Clara Valley Water District
Board Member
Sam Liccardo, San Jose Councilmember
Jason Liles, Fmr. Healdsburg Mayor
David Lim, San Mateo Mayor
Evan Low, Campbell Councilmember
Eric Lucan, Novato Mayor
Jesus Malgapo, Vallejo Councilmember
Jamie Matthews, Santa Clara Mayor
Linda Maio, Berkeley Vice Mayor
Tara Martin-Milius, Sunnyvale Councilmember
Claire McAuliffe, Belvedere Councilmember
Robert H. McConnell, Vallejo Councilmember
Jim McCracken, Rio Vista Councilmember
Lynette Gibson McElhaney, Oakland Councilmember
Gayle McLaughlin, Richmond Mayor
Al Mendall, Hayward Councilmember
Katy Miessner, Vallejo Councilmember
Maryann Derwin, Portola Valley Councilmember
Carmen Montano, Milpitas Councilmember
Ray Mueller, Menlo Park Mayor
Jael Myrick, Richmond Councilmember
Jim Navarro, Union City Councilmember
Madison Nguyen, San Jose Vice Mayor
Mary Ann Nihart, Pacifica Mayor
Mark Olbert, San Carlos Mayor
Doug Overman, Golden Gate National Parks
Conservancy
Elizabeth Patterson, Benicia Mayor

Alfredo Pedroza, Napa Councilmember
Julie Pierce, Clayton Councilmember and ABAG
President
Gail Price, Palo Alto Councilmember
Jim Prola, San Leandro Vice Mayor
Diana Prola, San Leandro Unified School District,
President
Jean Quan, Oakland Mayor
Kevin Romick, Oakley Councilmember
Tim Rood, Piedmont Councilmember
Robert Ross, San Mateo Mayor
Alvin Royse, Hillborough Councilmember
Mark Salinas, Hayward Councilmember
Raj Salwan, Fremont Councilmember
Pete Sanchez, Suisun City Mayor
Tim Sbranti, Dublin Mayor
Libby Schaaf, Oakland Councilmember
Greg Scharff, Palo Alto Councilmember
Brian Schmidt, Santa Clara Valley Water District
Board Member
Rob Schroder, Martinez Mayor
Carol Severin, East Bay Regional Park District Board
Member
Nancy Shepherd, Palo Alto Mayor
Doug Siden, East Bay Regional Park District Board
Member
Jac Siegel, Mountain View Councilmember
Rod Sinks, Cupertino Vice Mayor
Diana Souza, San Leandro Councilmember
Hermie Sunga, Former Vallejo Councilmember
John Sutter, East Bay Regional Park District Board
Member
Michael Sweeney, Hayward Mayor
Lena Tam, City of Alameda Councilmember
Peggy Thomsen, Albany Mayor
Tony Tiscareno, Antioch City Councilmember
Will Travis, Fmr Executive Director, Bay Conservation
& Development Commission
Dave Warden, Belmont Councilmember
Catherine Way, Larkspur Councilmember
Ayn Wieskamp, President, East Bay Regional Park
District Board
Monica Wilson, Antioch City Councilmember
José Francisco Zermeño Cárdenas, Hayward
Councilmember



DATE: May 22, 2014

TO: Governing Board
San Francisco Bay Restoration Authority

FROM: Sam Schuchat, Executive Officer
California State Coastal Conservancy

SUBJECT: Post-Election Administration of the SF Bay Restoration Authority

Following voter approval of a parcel tax measure, the Governing Board of the nine county San Francisco Bay Restoration Authority anticipates that the Authority will be administered under a Joint Powers Agreement by existing, experienced staff of the Association of Bay Area Governments and the California State Coastal Conservancy, as previously discussed by this Board. This overview provides background on anticipated administrative tasks for a parcel tax; the Board will authorize specific tasks and expenditures by staff or consultants at a future date.

Administrative tasks to be undertaken during the first 12 months following passage of the measure include:

- Conduct a public process to formulate a strategic plan consistent with ballot measure language and statutory requirements, to guide implementation of the measure;
- Establish record-keeping and other procedures;
- Provide necessary information to counties regarding taxable parcels and distribution of receipts;
- Evaluate the issuance of revenue anticipation notes or other financial instruments following Board direction; and
- Develop, review and oversee contracts or other agreements consistent with implementation of the planned grant program.

Administrative tasks to be undertaken when funding for Bay restoration becomes available include:

- Solicit and evaluate potential projects consistent with criteria listed in the measure and statute, and prepare recommendations for Governing Board approval;
- Pursue matching funds, grants, and other funding to leverage resources;
- Execute project grant agreements;
- Monitor project implementation and compliance with grant agreements; and
- Evaluate progress on the goals and objectives of the Authority's strategic plan and ballot measure language, and reporting progress to the Governing Board and public.

Throughout the life of the parcel tax measure, and for at least two additional years of grant management, administrative tasks likely include:

- Oversee logistics and materials preparation for public Governing Board meetings, and carrying out other assignments of the Governing Board;
- Consult with and solicit feedback from public and private stakeholders throughout the nine county Bay Area;
- Ensure ongoing consultant and communication with the Advisory Committee to ensure maximum benefit, value, and transparency of the grant program and Authority activities;
- Prepare annual budgets and work programs for staffing;
- Ensuring that the Authority and Governing Board members meet all statutory requirements and legal responsibilities, and maintaining Authority records;
- Implement accountability, oversight and audit measures;
- Coordinate with resource and regulatory agencies and other stakeholders, partners, and funders of Bay restoration and associated projects;
- Evaluate and respond to any legal issues that may arise from the revenue measure, allocation of grant funds, or agreements with project partners;
- Evaluate potential for potential activities beyond the life of the measure;
- Consider establishment a reserve fund to support ongoing activities of the Authority;
- Upgrade and maintain the Authority website and other means of communication;
- Manage consultants for specialized tasks, such as preparing external audits and ensuring proper and timely distribution of tax receipts to the Authority;
- Disburse Authority funds and managing any authorized investments; and
- Prepare and release to the public annual financial reports and other materials as needed.



Resolution 7

SPECIAL PARCEL TAX BALLOT MEASURE FOR VOTER APPROVAL: THE SAN FRANCISCO BAY CLEAN WATER, POLLUTION PREVENTION AND HABITAT RESTORATION MEASURE

WHEREAS, the San Francisco Bay is the region's greatest natural resource and its central feature and contributes significantly to California's economic health and vitality. The Bay is a hub of interconnected open-spaces, watersheds, natural habitats, scenic areas, agricultural lands, and regional trails;

WHEREAS, the San Francisco Bay and its wetlands, waterways and shoreline are a significant part of the State's coastal resources and a healthy Bay not only enhances the quality of life for all Bay Area residents but is essential to support the state's human and wildlife populations;

WHEREAS, the San Francisco Bay must be protected and restored so that current and future generations may use and enjoy it;

WHEREAS, the restoration, preservation, and maintenance of the San Francisco Bay and its wetlands, improvement of Bay water quality, provision of public access to the Bay shoreline, and enhancement of shoreline recreational amenities for the growing population of the San Francisco Bay Area are immediate state and regional priorities;

WHEREAS, wetland restoration in the San Francisco Bay is necessary to address the growing danger that global warming and rises in sea level pose to the economic well-being, public health, natural resources, and environment of California. Tidal wetlands can prevent flooding and adapt to rising sea levels;

WHEREAS, the protection and restoration of the San Francisco Bay require efficient and effective use of public funds, leveraging of local funds with state and federal resources, and investment of significant resources over a sustained period for habitat restoration on shoreline parcels, parks, and recreational facilities, and public access to natural areas;

WHEREAS, in 2008, the State established the San Francisco Bay Restoration Authority (the "Authority") for the purpose of assisting in the restoration, enhancement, protection and enjoyment of the wetlands and wildlife in the San Francisco Bay and shoreline, including raising funds for programs that would protect and restore the Bay;

WHEREAS, the Authority is a regional governmental entity comprising the nine counties that touch the San Francisco Bay, including the Counties of Alameda, Contra Costa, Marin, Napa,

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San Mateo, Santa Clara, Solano and Sonoma, and the City and County of San Francisco (the “San Francisco Bay Area”);

WHEREAS, after years of study, the Authority has prepared the San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Measure in order to fund programs that will:

- Reduce trash, pollution and harmful toxins;
- Improve water quality;
- Restore habitat for fish, birds and wildlife;
- Protect communities from floods; and
- Increase shoreline access for public enjoyment.

WHEREAS, the State has authorized the Authority to levy a special parcel tax, subject to two-thirds voter approval, within the San Francisco Bay Area to fund these programs. A minimal parcel tax on real property of only \$9 a year will ensure these essential programs are funded and that the San Francisco Bay will be protected and restored for the use and enjoyment of current and future generations. Such a levy will generate approximately \$15,000,000 a year to fund specific clean water, pollution prevention and habitat restoration projects; and

WHEREAS, the proceeds from the parcel tax will be spent only for local projects that directly improve the Bay, and cannot be taken away by the State. The Measure also requires citizen oversight, transparency, independent audits of all money collected and spent, and strict caps on the amount that may be spent on project management and administration.

NOW THEREFORE, THE SAN FRANCISCO BAY RESTORATION AUTHORITY GOVERNING BOARD HEREBY RESOLVES, DETERMINES AND ORDERS AS FOLLOWS:

Section 1. Approval of Ballot Measure.

Pursuant to Government Code sections 50075 through 50077.5 and the San Francisco Bay Restoration Authority Act (commencing with section 66700 of the Government Code), the Authority hereby adopts the San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Measure (the “Measure”) and approves the placement of the Measure on the November 4, 2014 election ballot within the San Francisco Bay Area. A full copy of the Measure is attached hereto as Exhibit A.

Section 2. Tax Imposed and Rate.

Subject to two-thirds approval of the voters voting on the Measure, the special parcel tax that is the subject of this Resolution shall be levied in the amount and in accordance with the terms and procedures set forth in the Measure, for a ten-year year period commencing July 1, 2015 and

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ending June 30, 2025. The parcel tax shall be levied at an annual rate of nine dollars (\$9) per parcel of taxable real property wholly or partially within the San Francisco Bay Area. The proceeds from the parcel tax shall be used solely for the purpose of supporting the programs and priorities set forth in the Measure and shall be spent exclusively for projects in the nine counties comprising the Authority.

Section 3. Method of Collection.

Subject to two-thirds approval of the voters voting on the Measure, the special parcel tax that is the subject of this Resolution shall be collected by the Tax Collector of each county and city and county within the San Francisco Bay Area in accordance with the terms and procedures set forth in the Measure.

Section 4. Accountability.

The special parcel tax that is the subject of this Resolution shall be subject to the transparency, independent audit, and accountability measures set forth in Exhibit A, including requirements that: (a) the proceeds of the parcel tax be used solely for supporting the programs and priorities set forth in the Measure; (b) the proceeds of the parcel tax be deposited in a special account; (c) the funds be spent only for projects in the San Francisco Bay Area and cannot be taken by the State; (d) an independent, annual audit be conducted of all funds collected and allocated under the measure; and (e) an annual report be prepared showing both the amounts of funds collected and expended and the status of any project required or authorized to be funded as identified in the Measure.

Section 5. Additional Action.

The Vice Chair of the Governing Board of the Authority, or any of his or her designees, is hereby authorized and directed to make any changes to the text of the Measure set forth in Exhibit A, to the abbreviated form of the Measure, or to the text of this Resolution or Resolution 8 (calling the special election), as may be convenient or necessary to comply with the intent of this Resolution and Resolution 8 to place the ballot measure on the November 4, 2014 ballot, the requirements of elections officials, or the requirements of the law.

Section 6. CEQA.

Pursuant to the State California Environmental Quality Act (CEQA) Guidelines section 15378(b)(4), adoption of this resolution to place the parcel tax, a government funding mechanism, on the ballot for voter approval is not a project subject to the requirements of CEQA. Prior to approval of funding of any projects pursuant to the Measure, any necessary environmental review required by CEQA shall be completed.

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THE SAN FRANCISCO BAY
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PASSED AND ADOPTED by the Governing Board of the San Francisco Bay Restoration Authority at its meeting on May 28, 2014, by the following vote:

AYES: Governing Board Members _____

NOES: Governing Board Members _____

ABSENT: Governing Board Members _____

ABSTAIN: Governing Board Members _____

John Gioia
Vice Chair

I, Frederick Castro, 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 May 28, 2014, which Resolution is on file in the office of this regional governmental entity.

Frederick Castro
Clerk of the Governing Board

Resolution 7

EXHIBIT A

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

Section 1. Findings and Purpose.

Over the last century, we have had a massive impact on the San Francisco Bay with landfill and toxic pollution. It is not too late to reverse what we've done and restore the Bay for future generations. To meet that objective, in 2008, state law established the San Francisco Bay Restoration Authority, whose purpose is to raise and allocate resources for the restoration, enhancement, protection, and enjoyment of wetlands and wildlife habitats in the San Francisco Bay and along its shoreline.

The purpose of the San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Measure is to protect and restore San Francisco Bay to benefit future generations by reducing trash, pollution, and harmful toxins, improving water quality, restoring habitat for fish, birds, and wildlife, protecting communities from flood and increasing shoreline public access.

A flat parcel tax of \$9 per year generating approximately \$15,000,000 per year will fund programs to protect and restore San Francisco Bay. The revenues generated by this Measure may be spent solely for the purpose of supporting programs and priorities that improve San Francisco Bay, and the Measure prohibits funds from being spent elsewhere or taken by the State. The Measure also requires transparency, independent audits, citizen oversight, and strict caps on administration costs.

Section 2. San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Expenditure Plan.

The revenues from the flat parcel tax set forth in Section 3 shall be used solely for the purpose of supporting the programs and priorities set forth in this Section.

A. Program Descriptions

Under this Measure, the San Francisco Bay Restoration Authority (the "Authority") may undertake projects along the Bay shorelines within the jurisdiction of the Authority, which includes the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano and Sonoma and the City and County of San Francisco (the "San Francisco Bay Area"). The shorelines include the shorelines of San Francisco Bay, San Pablo Bay, Carquinez Strait, Suisun Bay, and most of the Northern Contra Costa County Shoreline to the edge of the Delta Primary Zone. The Measure shall support the following programs:

1. Safe, Clean Water and Pollution Prevention Program

The purpose of this Program is to remove pollution, trash and harmful toxins from the Bay in order to provide clean water for fish, birds, wildlife, and people.

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- a. Improve water quality by reducing pollution and engaging in restoration activities, protecting public health and making fish and wildlife healthier.
- b. Reduce pollution levels through shoreline cleanup and trash removal from San Francisco Bay.
- c. Restore wetlands that provide natural filters and remove pollution from the Bay's water.
- d. Clean and enhance creek outlets where they flow into San Francisco Bay.

2. Vital Fish, Bird and Wildlife Habitat Program

The purpose of this Program is to significantly improve wildlife habitat that will support and increase vital populations of fish, birds, and other wildlife in and around San Francisco Bay.

- a. Enhance the San Francisco Bay National Wildlife Refuge, shoreline parks and open space preserves, and other protected lands in and around the Bay, providing expanded and improved habitat for fish, birds and mammals.
- b. Protect and restore wetlands and other Bay and shoreline habitats to benefit wildlife, including shorebirds, waterfowl and fish.
- c. Provide for stewardship, maintenance and monitoring of habitat restoration projects in and around the Bay, to ensure their ongoing benefits to wildlife and people.

3. Integrated Flood Protection Program

The purpose of this Program is to use natural habitats to help protect communities along the Bay's shoreline from the risks of severe coastal flooding caused by storms and high water levels in the Bay.

- a. Provide nature-based flood protection through wetland and habitat restoration along the Bay's edge and at creek outlets that flow to the Bay.
- b. Build and/or improve flood protection levees that are a necessary part of wetland restoration activities, in order to protect existing shoreline communities, agriculture, and infrastructure.

4. Shoreline Public Access and Education Program

The purpose of this Program is to enhance the quality of life of Bay Area residents, including those with disabilities, through safer and improved public access and educational opportunities, as part of and compatible with wildlife habitat restoration projects in and around San Francisco Bay.

- a. Construct new, repair existing and/or replace deteriorating public access trails, signs, and related facilities along the shoreline and manage these public access facilities.
- b. As a limited component of pollution prevention, habitat restoration, flood protection, and public access projects, provide education about the health of the Bay in order to protect natural resources and encourage community engagement.

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EXHIBIT A

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

B. Additional Allocation Criteria and Community Benefits

1. The Authority shall ensure that the revenue generated by the Measure is spent in the most efficient and effective manner possible, consistent with serving the public interest and in accordance with existing law. The Authority shall give priority to projects that:
 - a. Have the greatest positive impact on the Bay as a whole, in terms of clean water, wildlife habitat and beneficial use to Bay Area residents.
 - b. Have the greatest long-term impact on the Bay, in order to benefit future generations.
 - c. Provide for geographic distribution across the region and ensure that there are projects funded in each of the nine counties that comprise the San Francisco Bay Area over the life of the Measure.
 - d. Increase impact value by leveraging state and federal resources as well as public/private partnerships.
 - e. Serve economically disadvantaged communities.
 - f. Benefit the economy of the region, including local workforce development, employment opportunities for Bay Area residents, and nature-based flood protection for critical infrastructure and existing shoreline communities.
 - g. Work with local organizations and businesses to engage youth and young adults and assist them in gaining skills related to natural resource protection.
 - h. Incorporate monitoring, maintenance and stewardship to ensure the most efficient and effective strategies for restoration and achievement of intended benefits.
 - i. Meet the selection criteria of the Coastal Conservancy's San Francisco Bay Area Conservancy Program and are consistent with the San Francisco Bay Conservation and Development Commission's coastal management program and with the San Francisco Bay Joint Venture's implementation strategy.
2. The Authority shall conduct one or more public meetings annually to gain public input on selection of projects under this Measure. All actions, including decisions about selecting projects for funding, will be made by the Authority in public meetings with advance notice and with meeting materials made available in advance to the public.
3. The Authority may accumulate revenue over multiple years so that sufficient funding is available for larger and long-term projects. All interest income shall be used solely to support the programs and priorities set forth in this Section.
4. No funds generated by the Measure shall be used for political advocacy.
5. No more than 6% of the revenue generated by this Measure may be used by the Authority for general government purposes, including to administer the projects funded under this Measure. Any unused funds may be carried over for use in subsequent years.

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

C. Accountability and Oversight

In order to ensure accountability, transparency and public oversight of all funds collected and allocated under this Measure and to comply with state law, all of the following shall apply:

1. The specific purpose of the parcel tax shall be to support only the programs and priorities set forth in this Section. The proceeds of the parcel tax shall be applied only to those specific purposes of this Section and shall be spent only in accordance with the procedures and limitations set forth in this Section.
2. A separate account shall be created by the Authority into which all proceeds from the parcel tax must be deposited. The Authority shall commission an independent, outside annual audit of all revenues deposited in, and all expenditures made from, the special, separate account and publish an annual financial statement.
3. All funds generated by the parcel tax, except as set forth in Section 2.B.5 above, shall be spent on projects within the San Francisco Bay Area, and shall not be taken by the State.
4. The Authority shall prepare an annual written report showing (i) the amount of the funds collected and expended from the proceeds of the parcel tax and (ii) the status of any projects or programs required or authorized to be funded from the proceeds of the parcel tax, as identified above. The report shall comply with all provisions of Government Code section 50075.3, be posted on the Authority's website, and be submitted to the Bay Restoration Advisory Committee, established pursuant to Government Code section 66703.7 (the "Advisory Committee"), for review and comment.
5. The Advisory Committee shall provide advice to the Authority on all aspects of its activities under this Measure to ensure maximum benefit, value and transparency for safe, clean water, pollution reduction, habitat restoration, flood protection and public access in and around the Bay. Advisory Committee meetings will be announced in advance and will be open to the public. The responsibilities of the Advisory Committee shall include: (a) advising the Authority about implementation of this Measure; (b) making recommendations regarding expenditure priorities under this Measure; (c) reviewing expenditures on an annual basis to ensure they conform to the Measure; and (d) reviewing the annual audit and report prepared by the Authority, describing how funds were spent.

Section 3. Funding of San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Expenditure Plan.

Subject to voter approval, the Authority hereby establishes a flat parcel tax the proceeds of which shall be used solely for the purpose of supporting the programs and priorities set forth in this

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EXHIBIT A

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

Measure. The parcel tax shall be levied at a rate of nine dollars (\$9) per parcel within the jurisdiction of the Authority which consists of the San Francisco Bay Area. The tax shall be levied annually for a total of ten (10) years, commencing effective July 1, 2015 and ending June 30, 2025.

The parcel tax shall be levied on each parcel of taxable property within the San Francisco Bay Area, and shall be collected by the tax collectors of each county and city and county in the San Francisco Bay Area (the “Tax Collectors”) at the same time as, and along with, and will be subject to the same penalties as general, *ad valorem* taxes collected by the Tax Collectors. The parcel tax and any penalty shall bear interest at the same rate as the rate for unpaid *ad valorem* property taxes until paid. Any parcel tax levied shall become a lien upon the properties against which taxes are assessed and collectible as herein provided. The parcel tax shall appear as a separate item on the tax bill.

All property that is otherwise exempt from *ad valorem* property taxes in any year shall also be exempt from the parcel tax in such year. The Authority shall adopt procedures that set forth any clarifications and exemptions to address unique circumstances and any procedure for claimants seeking an exemption, refund, reduction or recomputation of the parcel tax.

Section 4. Establishment of Appropriation Limit.

Pursuant to Article XIII-B of the California Constitution, the appropriation limit of the Authority shall be set by the total revenues actually received by the Authority from the proceeds of the tax for the first fiscal year of operation, as adjusted each fiscal year after the first year for the estimated change in the cost of living, population and number of parcels on which the tax is levied. The appropriation limit may be further adjusted by any other changes that may be permitted by Article XIII B of the California Constitution. Any future increases in the appropriation limit shall be approved by a majority vote of the voters therein.

Section 5. Amendments and Severability.

A. The Governing Board of the Authority shall be empowered to amend this Measure by majority vote of its members to further the purposes of this Measure, to conform the provision of this Measure to applicable state law, to modify the methods of levy and collection of the parcel tax, or to assign the duties of public officials under this Measure.

B. If any part of this Measure is held to be invalid for any reason, such decision shall not affect the remaining portions of this Measure and the voters declare that they would have passed the remainder of this Ordinance as if such invalid portion were not included.

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Resolution 8

**CALLING A SPECIAL ELECTION TO BE HELD
FOR THE
SAN FRANCISCO BAY RESTORATION AUTHORITY ON NOVEMBER 4, 2014;
REQUESTING SERVICES OF REGISTRAR OF VOTERS;
REQUESTING CONSOLIDATION OF ELECTIONS; AND SPECIFYING
CERTAIN PROCEDURES FOR THE CONSOLIDATION ELECTION**

WHEREAS, the San Francisco Bay Restoration Authority (“Authority”), a regional governmental entity, is authorized pursuant to Government Code section 66704 to levy a parcel tax, subject to two-thirds voter approval; and

WHEREAS, pursuant to Government Code sections 66702 and 66704, the Authority is authorized to levy a parcel tax, subject to two-thirds voter approval, in the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, and Sonoma, and the City and County of San Francisco (the “San Francisco Bay Area”); and

WHEREAS, pursuant to Government Code section 66704.05, when the Authority proposes to levy a parcel tax, the board of supervisors of the counties and city and county in which the parcel tax is proposed, are required to call a special election on the measure.

NOW THEREFORE, THE SAN FRANCISCO BAY RESTORATION AUTHORITY GOVERNING BOARD HEREBY RESOLVES, DETERMINES AND ORDERS AS FOLLOWS:

FIRST: A special election is hereby called within said Authority, which election is to be consolidated with the general election to be held on November 4, 2014. As required by Elections Code sections 13247 and 10403, the abbreviated form of the measure as it shall appear on the ballot is as follows:

**San Francisco Bay Clean Water, Pollution Prevention and
Habitat Restoration Program.**

To protect and restore San Francisco Bay to benefit future generations by reducing trash, pollution and harmful toxins, improving water quality, restoring habitat for fish, birds and wildlife, protecting communities from floods and increasing shoreline public access, shall the San Francisco Bay Restoration Authority authorize an annual parcel tax of nine dollars per year for ten years with citizen oversight, audits, and all funds staying local?

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**CALLING A SPECIAL ELECTION TO BE HELD
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REQUESTING CONSOLIDATION OF ELECTIONS; AND SPECIFYING
CERTAIN PROCEDURES FOR THE CONSOLIDATION ELECTION**

The measure shall be voted on within the jurisdiction of the Authority, which pursuant to Government Code sections 66702 and 66704, comprises the San Francisco Bay Area.

SECOND: The Registrar of Voters of each county and city and county in the San Francisco Bay Area is requested to give notice of said election in accordance with law and to perform all other acts which are required for the holding and conducting of said election.

THIRD: The Board of Supervisors of each county and city and county within the San Francisco Bay Area is hereby requested to order the consolidation of the Authority's special election with the other elections to be held on November 4, 2014, and to provide the election precincts, polling places, and voting booths which shall in each county and city and county be the same, and that there shall be only one set of election officers in each of said precincts; and to further provide that the question set forth above shall be set forth in each form of ballot to be used at said election. Said Board of Supervisors is further requested to order the Registrar of Voters to: (a) set forth on all sample ballots relating to said consolidation election, to be mailed to the qualified electors of the Authority, the question set forth above and (b) provide absentee voter ballots for said consolidation election for use by qualified electors of said Authority who are entitled thereto, in the manner provided by law.

FOURTH: Pursuant to Government Code section 66704.05, each county and city and county within the San Francisco Bay Area shall use the exact ballot question, impartial analysis, and ballot language provided by the Authority. If two or more counties or city and county are required to prepare a translation of ballot materials into a different language, the county or city and county that contains the largest population among those counties or city and county that are required to prepare a translation of ballot materials into the same language shall prepare the translation and that translation shall be used by the other counties or city and county, as applicable.

FIFTH: Pursuant to Government Code section 66704.05, the Registrar of Voters of each county and city and county within the San Francisco Bay Area shall mutually agree to use the same letter designation for the measure.

SIXTH: Each Registrar of Voters of each county or city and county within the San Francisco Bay Area is hereby authorized and requested to canvass, or cause to be canvassed, as provided by law, the returns of said special election with respect to the total votes cast for and against said question and to certify such canvass of the votes cast to the Governing Board of the Authority.

Resolution 8

**CALLING A SPECIAL ELECTION TO BE HELD
FOR THE
SAN FRANCISCO BAY RESTORATION AUTHORITY ON NOVEMBER 4, 2014;
REQUESTING SERVICES OF REGISTRAR OF VOTERS;
REQUESTING CONSOLIDATION OF ELECTIONS; AND SPECIFYING
CERTAIN PROCEDURES FOR THE CONSOLIDATION ELECTION**

SEVENTH: The clerk of this Board is hereby authorized and directed to certify to the due adoption of the resolution and to transmit a copy hereof so certified with each of the Registrar of Voters within the San Francisco Bay Area.

EIGHTH: Exhibit A to Resolution 7 shall comprise the full text of the ballot measure.

NINTH: The Authority recognizes that each county and city and county will incur additional costs because of the consolidation of the election on this measure with the November 4, 2014 election and agrees to reimburse each county and city and county for the costs specified in Government Code section 66704.05(h). The Vice Chair of the Authority is hereby authorized and directed to expend the necessary funds to pay those costs.

PASSED AND ADOPTED by the Governing Board of the San Francisco Bay Restoration Authority at its meeting on May 28, 2014, by the following vote:

AYES: Governing Board Members _____

NOES: Governing Board Members _____

ABSENT: Governing Board Members _____

ABSTAIN: Governing Board Members _____

John Gioia
Vice Chair

I, Frederick Castro, 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 May 28, 2014, which Resolution is on file in the office of this regional governmental entity.

Frederick Castro
Clerk of the Governing Board

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