Governing Board

AGENDA (REVISED)

Wednesday, January 27, 2010
12:00 p.m. to 2:00 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 7910

Agenda and attachments available at:
www.sfbayrestore.org

1. Call to Order
   Action
   Samuel Schuchat, Executive Officer, California State Coastal Conservancy

2. Roll Call

3. Public Comment

4. Announcements

5. Approval of Summary Minutes of October 28, 2009
   Action
   Attachment: Summary Minutes for October 28, 2009

6. Organizational Matters

   A. Presentation on Funding Options
      Information
      Joe Edmiston, Executive Director, Santa Monica Mountains Conservancy
      Attachment: McEnespy memo dated January 5, 2010
B. Report on Funding Mechanisms and Expenditure of Grant Funds to Support Public Opinion Polling/Research Survey
   Action
   Subcommittee Members: Sam Schuchat, Executive Officer, California State Coastal Conservancy; Dave Cortese, Supervisor, County of Santa Clara; Roseanne Foust, Mayor, City of Redwood City; Charles McGlashan, Supervisor, County of Marin
   Attachment: Kelly memo dated January 19, 2010

C. Amendments to AB 2954
   Action
   Samuel Schuchat, Executive Officer, California State Coastal Conservancy
   Attachment: McEnespy/Ruddock memo dated January 15, 2010

D. Formation of Advisory Committee (Update)
   Information
   Moira McEnespy, Deputy Program Manager, San Francisco Bay Area Program, California State Coastal Conservancy

7. Adjournment

Agenda approved by the Governing Board Chair:
January 21, 2010

Agenda posted:
January 21, 2010
1. Call to Order

Sam Schuchat, Chair, called the meeting to order at 12:38 p.m.

2. Roll Call

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

Present were Sam Schuchat, Dave Cortese, Rosanne Foust, John Gioia, Charles McGlashan, John Sutter. Absent was Phil Ting.

3. Public Comment

There was no public comment.

4. Announcements

Schuchat announced a wetlands tour of projects in the East and North Bay sponsored by the San Francisco Bay Joint Venture on November 12, 2009, 10:00 a.m. to 3:00 p.m. Members were encouraged to participate.

There were no other announcements.
5. Approval of Summary Minutes of July 29, 2009

A motion to approve the summary minutes of the Governing Board meeting on July 29, 2009, was made by McGlashan and seconded by Sutter. The motion passed unanimously.

6. Presentation by San Francisco Bay Conservation and Development Commission on Experience in Building Regional Focus

Will Travis, Executive Director, San Francisco Bay Conservation and Development Commission, spoke about BCDC’s formation and experience in developing a regional consensus. He described BCDC’s regional oversight and membership, efforts to work with local governments and elected officials, and to develop a regional perspective. He spoke of creating a San Francisco Bay Restoration Authority “culture” to carry out a regional responsibility with a regional perspective.

Gioia commented on BCDC’s effectiveness in setting aside jurisdictional interests to improve the quality of life in the San Francisco Bay Area, and in developing a regional plan for common regional interests.

Sutter commented on restoration of wetlands in view of potential flooding due to climate change. Travis responded by describing effects of restoring and managing wetlands related to sea-level rise.

7. Organizational Matters

A. Formation of Advisory Committee

Subcommittee members Gioia and Foust reported on the consideration of individuals for appointments to the Advisory Committee of the San Francisco Restoration Authority.

Members discussed legislative requirements for the formation of the Advisory Committee; the Advisory Committee’s purpose, member selection and composition, terms of appointment, and meeting frequency; and submitting additional individuals for consideration.

A motion to appoint members to the Advisory Committee of the San Francisco Bay Restoration Authority was made by Gioia and seconded by McGlashan. The motion passed unanimously.

Appointed to the Advisory Committee were Steve Abbors, Cindy Chavez, Patrick Congdon, Grant Davis, Beth Huning, Ellen Johnck, Jerry Kent, David Lewis, Cynthia Murray, Bruce Raful, Curt Riffle, Patrick Rutten, Bob Spencer, Mendel Stewart, Will Travis.
Staff was directed to notify individuals of their appointment to the Advisory Committee, plan on scheduling a meeting of the Advisory Committee, and notify other nominees of their pending consideration for an appointment. The subcommittee will continue to consider other nominees for appointments.

B. Presentation by Save The Bay on Public Opinion Polling/Research Survey Results

Stephen Knight, Political Director, Save The Bay, presented findings of the public opinion polling/research survey conducted in Spring 2006 to determine voters’ opinions on wetland restoration contained in its report, *Greening the Bay: Financing Wetland Restoration in the San Francisco Bay*, and recommendations in its *Funding Options Report*. He reviewed the methodology used and key questions asked, and results from other polls conducted in 2000.

Members discussed developing a survey to determine possible funding mechanisms for restoration projects, including a regional approach, modifications to the legislation creating the Authority related to the public support necessary for funding mechanisms, sales tax, and special district boundary.

C. Report on Funding Mechanisms and Expenditure of San Francisco Foundation Grant Funds to Support Public Opinion Polling/Research Survey

Judy Kelly, Director, San Francisco Estuary Partnership, reported on the award of grant funds by the San Francisco Foundation to support Public Opinion Polling/Research Survey, a proposed workplan related to the San Francisco Foundation grant funds, and the creation of a subcommittee to implement the proposed workplan.

Members discussed the implementation of the proposed workplan, other funding possibilities, and developing survey questions.

A motion to form a subcommittee and develop a workplan for the Public Opinion Polling/Research Survey was made by McGlashan and seconded by Sutter. The motion passed unanimously.

Appointed to the Public Opinion Polling/Research Survey Subcommittee were Schuchat, McGlashan, and Foust.

D. Scheduling Site Visits

Schuchat reiterated the scheduling of wetland tours of projects previously reported.

E. Selection of Authority Logo (Update)
Kenneth Moy, Legal Counsel, reported on the selection of the Authority logo. An application was submitted to the U.S. Department of Patents and Copyright for registration of the logo as the Authority’s service-mark. A ninety-day vetting of the service mark with targeted notices will follow.

Members discussed having business cards with the Authority’s logo. Staff will provide members with business cards.

F. Scheduling Governing Board Meetings (Update)

Schuchat announced the Authority’s meeting schedule for 2010 and queried members about additional locations for the Governing Board meetings. Members discussed alternative times for meetings and suggested having one location for the Governing Board meetings.

A motion to adopt the revised Governing Board meeting schedule to show a scheduled time of 12:00 p.m. to 2:00 p.m. and the meeting location as the California State Coastal Conservancy was made by McGlashan and seconded by Foust. The motion passed unanimously.

8. Adjournment

The Governing Board meeting adjourned at 2:15 p.m.

The next Governing Board meeting is on January 27, 2010.

Submitted by the Clerk of the Governing Board
January 15, 2010

Approved by the Governing Board
[date]
Date: January 5, 2010
To: Governing Board
From: Moira McEnespy
Deputy Program Manager, San Francisco Bay Area Program
California State Coastal Conservancy

Subject: Santa Monica Mountains Conservancy Presentation on Funding Options

Recommendation

None.

Summary

The Santa Monica Mountains Conservancy (SMMC) was established by the California State Legislature in 1980. The SMMC works through direct action, alliances, partnerships, and joint powers authorities to form an interlinking system of urban, rural and river parks, open space, trails, and wildlife habitats that is easily accessible to the general public.

In 1985, the SMMC partnered with the Conejo Recreation and Park District and the Rancho Simi Recreation and Park District to create the Mountains Recreation and Conservation Authority (MRCA), a public agency created via a Joint Exercise of Powers Agreement to preserve and manage local open space and park land, watershed lands, trails, and wildlife habitat. One of the specified purposes in creating the MRCA was to provide for the utilization of the benefit assessment method of financing capital acquisitions and improvements, and their maintenance, service and operation. In 2002, the MRCA successfully responded to desire for a local solution to acquire and protect many of the remaining open space lands in the Santa Monica Mountains, as voters approved two open space preservation measures that levy assessments on property owners.

The San Francisco Bay Restoration Authority Governing Board is currently researching the pros, cons, and likelihood of success of available fund mechanisms (e.g., benefit assessment, special tax, or property-related fee) and is providing input into a public opinion research process. To better inform Governing Board members as they undertake these tasks, Joe Edmiston, Executive Director of the SMMC, will address the Governing Board about the MRCA’s program and experience, discussing why the benefit assessment district was chosen over other fundraising options, and touching on other ways the MRCA has used to raise flexible funding.
REQUEST FOR PROPOSALS (DRAFT)

You are invited to submit a proposal to provide assistance to the San Francisco Bay Restoration Authority to complete a public opinion survey and revenue measure feasibility analysis to determine the public’s level of support for bay restoration efforts and to determine which kinds of programs receive the most voter support. We are requesting proposals for these services as more fully described in the Services Required section below. Electric proposals are due in our office no later than March 1, 2010 at the close of business, 5:00 P.M.

The San Francisco Bay Restoration Authority (hereinafter “Authority”) was established in August 2008 by the California State Legislature through Assembly Bill 2954 as a regional entity to generate and allocate resources for the protection and enhancement of tidal wetlands and other wildlife habitat in and surrounding the San Francisco Bay. The Association of Bay Area Governments (ABAG) and the Authority have overlapping goals regarding marsh restoration along the San Francisco Bay shoreline and ABAG acts as interim managing staff and fiscal agent for the Authority. Therefore, any contract resulting from this solicitation will be negotiated and administered by ABAG. The Governing Board of the Authority accepted a grant from the San Francisco Foundation to fund this work. Up to $50,000 is available for this Phase I Survey.

Background
The Authority is charged with restoring the San Francisco Bay’s critical tidal wetlands by generating dedicated funding, and then distributing this funding to eligible organizations for specific projects and programs. The Authority’s mission is to formulate a strategy for raising local revenues for project implementation and to leverage Federal and State funding. In order to help the Authority make strategic and informed decisions about the current opportunity for a local funding measure, scope of the measure, and the optimal tax/assessment/fee rate, an opinion research survey and revenue measure feasibility analysis are necessary. The survey should evaluate both the opportunity for a funding measure on a region-wide basis, and also on a county-by-county or other sub-area basis.

Services Required
The Phase I effort will provide a public opinion survey designed to:
1. Quantify voter concern with Bay quality and Bay wetland restoration compared with other local issues;
2. Test voter reaction to a proposed parcel tax, sales tax, or other measure to fund Bay wetland restoration projects;
3. Determine whether a region-wide nine-county ballot measure for the parcel tax, sales tax/other measure or a county-by-county ballot measure would be more acceptable;
4. Determine the dollar level of support that is likely to garner an excess of two-thirds support from likely voters and the corresponding total annual revenues that could be generated;
5. Evaluate voter reaction to potential components of a measure, including language and tax/fee/assessment amount;
6. Determine the extent to which voters support general bay wetland restoration as opposed to projects in their own county;
7. Assess the extent to which including flood control strengthens or weakens public support.
8. The proposal should provide pricing at various opinion sample sizes and describe the differences those sizes make in terms of precision and the ability to segment the results by geography or any other demographic.
9. The proposal should provide pricing for alternative survey instruments, i.e. services additional to the seven “baseline” items listed above and describe the advantages afforded by these alternatives.
10. The proposal should price options for conducting one or more focus groups.
The study should be designed to develop an overall strategy and timeline for moving forward with a ballot measure. It should not include extensive message testing but should rather focus on the key questions:

1. What type of measure might meet with voter approval at the two-thirds level;
2. What election timeline is recommended to improve likelihood of success;
3. How much of a privately funded campaign effort is likely to be required.

The Contractor is expected to brief the Governing Board of the Authority and its Advisory Committee as requested and incorporate their input in both the survey and in the feasibility analysis.

**Time Frame**
The time frame for completion of this work is anticipated to be 6 months.

**Compensation**
Up to $50,000 is available for this work. The Contractor must be an independent contractor. No benefits are provided. Contractor is responsible for payment of applicable state and federal taxes. Contractor must provide the necessary equipment to perform required work.

**Selection Procedure**
Every proposal will be evaluated according to the criteria below.

1) **Qualifications and Experience** - The Contractor will be evaluated based on the level of experience and background in performance of similar projects. Qualifications should include expertise in the following:
   - Public opinion research
   - Revenue measure formation services including assessment districts, parcel taxes
   - Developing financial feasibility studies

2) **Proposal** - The Contractor will be evaluated based on the adequacy of the submitted approach to complete the public opinion survey and revenue measure feasibility analysis as outlined in this Request for Proposal.

3) **Cost**

**Additional Requirements:**
- Proposals must respond to all the requirements of the RFP, and must include all information specifically required in all sections of the RFP.
- Award of contract may not be made to any Contractor unless an agreement can be secured for all general and special contract provisions.
- Award will not be made to a Contractor whose proposed period of performance is not within a period of time acceptable to the Authority.

**Contract Award**
Contract award shall be made to the responsible Contractor whose proposal is most advantageous to ABAG and the Authority, evaluation factors, costs, and other factors, considered. Our objective is to obtain the highest qualified contractor to achieve the objectives within a realistic time frame and reasonable cost. Qualifications and experience as a whole are more important than cost.

This RFP does not commit ABAG to award a contract. We reserve the right to reject any or all proposals.
Applications
We invite individuals and organizations to work with us. The contract funded by this RFP is expected to start April 1, 2010.

What to Submit
To provide an objective, fair review of all proposals, the submittals are to include only the following information:

1) Transmittal Letter - Normal transmittal letter, covering highlights and unique features of your proposal. Any special terms and conditions of the offer should also be summarized in this portion of the proposal. Letter should include your office address.
Length: One (1) page maximum.

2) Statement of Work - Provide a definitive proposal to accomplish the requirements as stated in this RFP. This must describe in detail the procedures and methods that will be used to achieve the stated goals of the project, preferably drawing on past experience/work conducted by the applicant. A proposed timeline and clear delineation of general tasks, products, and expected completion dates must also be included.
Length: Two (2) pages maximum.

3) Relevant Experiences - Provide a summary of relevant experience over the last 5 years.
Length: Two (2) page maximum.

4) List of Client References - Provide a list of clients to be used as references for your work, including contact name, address, telephone number, nature of job, length of engagement, amount (e.g. 1 year, $30,000).
Length: One (1) page maximum.

5) Budget - Must include total funds requested and amount budgeted per task. Provide billing rates for project personnel and any subcontractors, including overhead, other direct or out of pocket costs should be called out in the budget.
Length: One (1) page maximum.

6) Examples of Work - Provide one or two examples of comparable survey work that clearly demonstrate your expertise.

We require an electronic copy of your proposal package sent to Paula Trigueros at ptrigueros@waterboards.ca.gov. Proposals are due no later than March 1, 2010 at the close of business, 5:00 P.M.
Questions may be directed to Paula Trigueros at (510) 622-2499.
San Francisco Bay Restoration Authority- Possible Firms for RFP Receipt

1. Bartle Wells Associates
   1889 Alcatraz Avenue
   Berkeley, CA  94703
   Email: bwa@bartlewells.com

2. EMC Research
   436 14th Street, Suite 820
   Oakland, CA 94612
   Email: info@emcresearch.com

3. NBS-Local Government Solutions
   870 Market Street, Suite 1223
   San Francisco, CA  94102
   Email: ContactNBS@nbsgov.com

4. SCI Consulting Group
   4745 Mangels Boulevard
   Fairfield, CA  94534
   Email: info@sci-cg.com

5. San Francisco State University
   Public Research Institute
   Attn: Diane Godard, Project Coordinator
   1600 Holloway Ave
   San Francisco, CA  94132-4025
   Email: dmgodard@sfsu.edu

6. Catapult Strategies
   300 South 1st Street
   San Jose, CA  95113-2836
   Email: jude@getcatapult.com

7. David Binder Research
   44 Page Street, Suite 404
   San Francisco, CA  94102
   Email: info@db-research.com

8. Lake Research Partners
   1936 University Ave, Suite 300
   Berkeley, CA  94704
   Email: info@lakeresearch.com

9. Fairbanks, Maslin, Maullin, Metz & Associates
   1999 Harrison Street, Suite 1290
   Oakland, CA  94612
   Email: shakari@fm3research.com
Date: January 19, 2010

To: Governing Board

From: Judy Kelly
Director
San Francisco Estuary Partnership

Moira McEnespy
Deputy Program Manager, San Francisco Bay Area Program
California State Coastal Conservancy

Subject: Expenditure of Grant Funds to Support Public Opinion Polling/Research Survey and Acceptance of Additional Funding

Attachment: Request for Proposal, Phase I (Draft)

Recommendations

(1) Approve the proposed Request for Proposal (RFP) for Phase I polling and research using expenditure of San Francisco Foundation (SFF) grant funds in the amount of $50,000.

(2) Accept an additional $50,000 of funding for this effort received on behalf of the Restoration Authority from the Hewlett Foundation for use in Phase II.

Summary

At its July 29, 2009, meeting, the San Francisco Bay Restoration Authority’s (Authority) Governing Board voted to accept Save The Bay’s Funding Options Report (SCI Consulting Group for Save the Bay, July 2009), including its recommendation that the Authority undertake public opinion research, and to accept San Francisco Foundation (SFF) grant funds to implement the report’s recommendations. As Association of Bay Area Governments (ABAG) provides the Authority with administrative support, the Authority will follow ABAG’s procurement procedures for selecting a contractor subject to final authorization by the Authority.

At its October 28, 2009, meeting, the Governing Board reviewed the proposed two-phase workplan for the opinion research and agreed to go forward with an RFP for expending part of the SFF funds ($50,000 out of $75,000) to begin Phase I. [See workplan summary below from Item 7, Authority Governing Board agenda packet, October 28, 2009.]
Expenditure of Grant Funds and Acceptance of Additional Funding

January 19, 2010

2

ABAG staff was directed to draft an RFP for this work, and a subcommittee of the Governing Board (Charles McGlashan, Sam Schuchat, and Rosanne Foust) was formed to provide guidance on the proposal and assist in selecting a final contractor.

ABAG staff drafted an RFP and circulated to the full Board for comments on December 2, 2009. The RFP was then revised based on comments received, and Sam Schuchat, Chair of the subcommittee, sent a revised RFP to subcommittee members on January 3, 2010, asking for comments back by January 15, 2010.

Subsequent to the last Governing Board meeting, ABAG applied for and received a grant on behalf of the Authority for an additional $50,000 from the Hewlett Foundation to perform the work described in the workplan. Therefore, the Authority now has $125,000 to apply to Phases I and II of the public opinion polling and research work. The Phase I RFP ready to release is for $50,000, leaving up to $75,000 for additional Phase II work implementing the Funding Options Report.

Workplan Background and Summary from October 28, 2009, Governing Board Agenda Packet

Funding Options Report Recommendations: The Funding Options Report highly recommends undertaking a public opinion survey and feasibility analysis, regardless of the Authority’s ultimate choice of ballot funding measure (i.e., regional or smaller area). The report recommends that the Authority undertake this research in two phases:

- **Phase I:** Baseline survey to determine the public’s level of support for Bay restoration and to determine what projects garner the most voter support. Phase I would build on research already conducted by Save The Bay.
- **Phase II:** More comprehensive survey to refine the ballot measure language and to develop specific themes for public information and outreach; would occur after the Authority has determined the timing, funding mechanism, and scope of the projects it will fund.

More specifically, Phase I work would develop an overall strategy and timeline for moving forward with a measure, and be designed to address the following issues:

- Quantify current voter concern with Bay quality and Bay restoration compared with other local issues;
- Test voter reaction to a proposed parcel tax to fund Bay restoration projects;
- Determine the dollar level of support that is likely to garner in excess of 2/3 support from likely voters and the corresponding total annual revenues that could be generated;
- Evaluate voter reaction to potential components of a measure, including language and tax amount.

In addition, Phase I work would help determine what type of measure might meet with voter approval at the 2/3 level, recommend an election timeline to improve the likelihood of success, and provide information about how much of a privately funded campaign effort may be required.

Item 6.B.
Expenditure of Grant Funds and Acceptance of Additional Funding
January 19, 2010

3

Estimated Costs and Funding Mechanism: The Funding Options Report estimates the following costs for Phases I and II:

- **Phase I:** $20,000 to $50,000. A baseline telephone survey (approximately 12 minutes) will range from $20,000 (600 interviews) to $50,000 (up to 1,200 total interviews to allow for interpretation of county-by-county results).
- **Phase II:** $18,000 to $40,000. An additional telephone survey (approximately 18 minutes) to refine the language of a measure and develop specific themes for public information and outreach will range from $18,000 (400 interviews) to $40,000 (600 interviews).

Workplan

Task 1: Retain a consultant to conduct Phase I work (November 2009 to January 2010).

- Staff will prepare an RFP for subcommittee review to conduct Phase I work as described above in this memo and in the Funding Options Report. Staff will specify times/tasks in which to receive input by the Governing Board on survey questions prior to issuing the RFP.
- Subcommittee will review and approve the draft RFP.
- ABAG will implement its contractor selection process.
- Subcommittee will approve the contractor selection.
- ABAG will execute contract.

Task 2: Implement Phase I work (January 2010 to June 2010).

- Governing Board will submit input on survey questions at its January 2010 meeting.
- Consultant will conduct the surveys.
- Consultant will prepare draft report.
- Governing Board will provide input to Contractor and staff at its April 2010 meeting.
- Contractor will submit final report.

Task 3: Retain consultant to conduct Phase II work (June 2010 to July 2010).

- Staff will prepare an RFP for subcommittee review to conduct Phase II work as recommended by the Funding Options Report and as informed by the results of the Phase I work. Staff will specify times/tasks in which to receive input by the Governing Board on survey questions and on the draft findings.
- Subcommittee will review and approve the RFP.
- Staff will request that SFF grant an extension to expend funds by end of calendar year 2010.
- ABAG will implement its contractor selection process.
- Subcommittee will approve the contractor selection.
- ABAG will execute contract.

Item 6.B.
Task 4: Implement Phase II work (July 2010 to December 2010).

- Governing Board will submit input on survey questions at its July 2010 meeting.
- Consultant will conduct the surveys.
- Consultant will prepare draft report.
- Governing Board will provide input to Contractor and staff at its October 2010 meeting.
- Contractor will submit final report.
Date: January 15, 2010

To: Governing Board

From: Moira McEnespy
Deputy Program Manager, San Francisco Bay Area Program
California State Coastal Conservancy

Deborah Ruddock
Legislative Affairs Coordinator
California State Coastal Conservancy

Subject: Amendment to San Francisco Bay Restoration Authority Bill (AB 2954) to Add Needed Clarifying Language

Recommendation

Determine that (1) the San Francisco Bay Restoration Authority shall be the sponsor of an amendment to the San Francisco Bay Restoration Authority Bill (AB 2954) that will provide needed clarifying language in order for the Authority to carry out its purpose, and (2) the California State Coastal Conservancy staff will manage this legislative change.

Background

The San Francisco Bay Restoration Authority (Authority) was established by the Legislature through enactment of AB 2954 in 2008 (Government Code Section 66700 through 66706). The Authority is charged with raising and allocating resources for the restoration, enhancement, protection, and enjoyment of wetlands and wildlife habitat in the San Francisco Bay region. The Authority may be funded through gifts, donations, grants, state or local bonds, other appropriate funding sources, and other types of financial assistance from public and private sources. The Authority’s Governing Board is now embarking on research to determine the pros, cons, and likelihood of success of each of these potential fundraising mechanisms.

Summary

The Authority desires additions or revisions to existing statutory language in order to carry out its intended purpose. Such clarifying and “clean-up” language would address issues such as the following, if necessary:

- Clarify the Legislature’s intent regarding a multi-county election;

Item 6.C.
• Provide for the Authority to issue revenue bonds;
• Address limitations on the maturity date of bonded indebtedness and levy of voter-approved assessments/taxes;
• Address limitations on the Authority’s ability to incur bonded indebtedness.
Governing Board

MEETING SCHEDULE

Quarterly, on the fourth (4th) Wednesday of the month
12:00 p.m. to 2:00 p.m.

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

For additional information or to confirm meeting location, please contact:
Clerk of the Governing Board, (510) 464 7910

Agenda and attachments available at:
www.sfbayrestore.org

2010

Wednesday, January 27, 2010 – State Coastal Conservancy
Wednesday, April 28, 2010 – State Coastal Conservancy
Wednesday, July 28, 2010 – State Coastal Conservancy
Wednesday, October 27, 2010 – State Coastal Conservancy

Schedule approved by the Governing Board:
10/28/09