

**BAY AREA WATER SUPPLY AND CONSERVATION AGENCY
BOARD OF DIRECTORS MEETING****March 16, 2023 – 6:30 p.m.**

DUE TO PUBLIC HEALTH AND SAFETY IMPACTS RELATED TO RECENT STORMS, INCLUDING CURRENT POWER OUTAGES, THIS MEETING WILL BE CONDUCTED AS A TELECONFERENCE PURSUANT TO THE PROVISIONS OF GOVERNMENT CODE SECTION 54953(e). MEMBERS OF THE PUBLIC MAY NOT ATTEND THIS MEETING IN PERSON.

MINUTES

1. Call to Order/Pledge of Allegiance/Roll Call – 6:35 pm.

BAWSCA Chair, Gustav Larsson, called the meeting to order. Nicole Sandkulla called the roll. Nineteen (19) members of the Board were present at roll call. One (1) member of the Board arrived after roll call. A list of Directors present (20) and absent (6) is attached.

1.5. Adoption of Resolution #2023-02, Declaring that the Board of Directors Meetings will be held via teleconference.

Director Montano made a motion, seconded by Director Pierce, that the Board adopt Resolution #2023-02, declaring that the Board of Directors meeting will be held via teleconference.

The motion passed unanimously by roll call vote. See roll call tally attached.

2. Comments by the Chair:

Chair Larsson welcomed members of the Board, staff, and meeting participants to BAWSCA's Board meeting that is virtual due to public health and safety impacts related to recent storms, including the power outage in BAWSCA's meeting location.

He commented on the Silicon Valley Bank's closure and emphasized that CEO Sandkulla met in person with the Silicon Valley Bank Branch Manager, and confirmed that BAWSCA's deposits are immediately available. At this time, BAWSCA is working to secure the agency, and is consulting with financial and legal experts regarding what changes may be necessary to ensure the safety and liquidity of the agency's operating funds.

The proposed Work Plan and Operating Budget for FY 2023-24 that will define the agency's work and results to be achieved for next year will be presented to the Board for comments. BAWSCA's goal is to ensure a reliable supply of high-quality water at a fair price and the annual work plan is designed to achieve that. BAWSCA remains committed to protecting the water supply interests and the financial interests of the member agencies and their water customers that are entrusted to BAWSCA.

3. Board Policy Committee Report:

Committee Chair Hardy reported on the discussions and actions taken by the Board Policy Committee at its meeting on February 8, 2023. The summary report included in the agenda provides details of the discussions.

Public comments were provided by Peter Drekmeier, Policy Director of Tuolumne River Trust.

4. Consent Calendar:

There were no public comments on the Consent Calendar.

Director Vella made a motion, seconded by Director Pierce, that the Board approve the Minutes of the January 19, 2023 meeting; receive and file the Budget Status Report as of January 31, 2023, the Investment Report as of January 31, 2023, the Bond Surcharge Collection, Account Balance and Payment Report as of December 31, 2022, approve the Proposed FY 2023-24 Bond Surcharges, and approve the Adjustments to Staff Top Step Position Compensation.

The motion passed with one abstention on the approval of the Minutes of the January 19, 2023 meeting. See roll call tally attached.

5. SFPUC Report:

Mr. Steve Ritchie, SFPUC Assistant General Manager for Water Enterprise, provided a report on SFPUC's 10-Year Capital Improvement Program.

Ms. Alison Kastama provided a water supply conditions update noting that, based on current conditions, the SFPUC staff will be recommending that the SFPUC Commission find that a water shortage condition no longer exists and that the local water shortage emergency should be rescinded. The SFPUC's systemwide water use reduction will remain in effect consistent with the State Water Board regulations, but will be revisited once the State Water Board modifies its regulations.

Questions and comments from members of the Board were taken.

Public comments were provided by Dave Warner, Steve Rosenblum, Peter Drekmeier, John Rosapepe, and Denise Louie.

6. Water Management Representatives Report:

Elizabeth Flegel, Water Resources Manager for the City of Mountain View, reported on the current activities of the Water Management Representatives.

Directors Vella and Larsson appreciated the report.

There were no comments from members of the public.

7. Public Comments on Items Not on the Agenda:

Public comments were provided by Carol Steinfeld, Dave Warner, Peter Drekmeier, John Rosapepe.

8. Action Calendar:

- A. Consideration of Resolution #2023-01, Concurring in Nomination of John H. Weed of Alameda County Water District to the Executive Committee of the Association of California Water Agencies Joint Powers Insurance Authority.

Public comments were provided by Peter Drekmeier.

Director Jordan made a motion, seconded by Director Vella, that the Board adopt Resolution #2023-01, Concurring in Nomination of John H. Weed of Alameda County Water District to the Executive Committee of the Association of California Water Agencies Joint Powers Insurance Authority.

The motion passed unanimously. See roll call tally attached.

8. Report and Discussion:

- A. Preliminary Fiscal Year 2023-24 Work Plan, Results to be Achieved and Operating Budget: CEO/General Manager, Nicole Sandkulla provided the report to the Board.

Questions and comments were received from members of the Board. Public comments were provided by Peter Drekmeier.

Before proceeding to the next agenda item, Chair Larsson called for a motion to extend the meeting given the duration of the meeting has passed the 2 and one-quarter hours.

Director Cormack made a motion, seconded by Director Vella, to extend the meeting to 9:35pm.

The motion passed by roll call vote. See roll call tally attached.

9. CEO Reports:

BAWSCA Finance Manager, Christina Tang provided a report on BAWSCA's annual review of the Water Supply Agreement Balancing Account.

CEO/General Manager, Nicole Sandkulla provided a water supply and demand update, and a report on the Bay Delta Plan and FERC process.

Public comments were provided by Peter Drekmeier and Dave Warner

10. Closed Session:

There were no public comments prior to adjourning to Closed Session. The meeting adjourned to Closed Session at 8:57pm

11. Report from Closed Session:

Chair Larsson reconvened Open Session at 9:17pm

Legal Counsel Allison Schutte reported that the Board reconvened from Closed Session at 9:17 pm. There was no reportable action taken during Closed Session.

12. Directors' Discussion: Comments, Questions and Agenda Requests:

Director Montano suggested looking into a Financial subcommittee to function as a third arm in reviewing the agency's process for managing public funds.

Chair Larsson noted that staff is currently addressing the operational issues related to SVB's closure. There could be some policy changes that the Board may need to consider in the future should staff determine that modifications are necessary to ensure the agency's financial security. The Board Policy Committee and the Board will engage at the necessary level should conversations and actions on policy matters are needed. BAWSCA takes its fiduciary responsibilities very seriously. Chair Larsson encouraged members of the Board to reach out to the CEO/General Manager if they have any questions.

There being no further questions or comments, Chair Larsson asked for a moment of silence in memory of Dr. Robert Anderson who served on the BAWSCA Board from 2008 to 2019.

13. Date, Time and Location of Next Meeting: The next meeting scheduled on May 18, 2023 at 6:30pm.**14. Adjournment:** The meeting adjourned at 9:25 pm

Respectfully submitted,



Nicole M. Sandkulla

Chief Executive Officer/General Manager

NMS/le

Attachments: 1) Roll Call & Voting Log
2) Attendance Roster

Roll Call & Voting Log - BAWSCA

Meeting Date: March 16, 2023

Agency	Director	Present/ Absent	Item #1.5 Reso #2023-02	Item #4 Consent	Item #8A JPIA	Extend Mtg to 9:35pm	Weighted Voting ⁽²⁾	
							Weighted "Yes" Votes	Weighted "No" Votes
Hayward	Andrews, Angela	0	0	0	0	0		
Hillsborough	Benton, Jay	0	0	0	0	0		
Guadalupe	Breault, Randy	0	0	0	0	0		
Westborough	Chambers, Tom	y	y	y	y	y		
San Jose	Cohen, David	y	y	y	y	0		
Palo Alto	Cormack, Alison	y	y	y	y	y		
Menlo Park	Doerr, Maria	y	y	y	y	y		
San Bruno	Hamilton, Tom	y	y	y	y	y		
Santa Clara	Hardy, Karen	y	y	y	y	y		
Foster City	Hindi, Sam	y	y	y	y	0		
Purissima	Jordan, Steve	y	y	y	y	y		
Sunnyvale	Larsson, Gustav	y	y	y	y	y		
East Palo Alto	Lopez, Antonio	0	0	y	y	y		
Daly City	Manalo, Juslyn	y	y	y	y	0		
Mountain View	Matichak, Lisa	y	y	y	y	y		
Coastside	Mickelsen, Chris	y	y	y	y	y		
Milpitas	Montano, Carmen	y	y	y	y	y		
Burlingame	O'Brien, Ann	y	y	y	y	y		
North Coast	Piccolotti, Tom	y	y	y	y	y		
Redwood City	Pierce, Barbara	y	y	y	y	y		
Millbrae	Schneider, Ann	late	y	y	y	y		
Cal Water	Smegal, Tom	0	0	0	0	0		
Mid-Peninsula	Vella, Louis	y	y	y	y	y		
ACWD	Weed, John	y	y	y	y	y		
Brisbane	Wood, Sepi	0	0	0	0	0		
Stanford	Zigterman, Tom	y	y	y	y	y		

Vote Tally

Yes (y)	19	20	20	20	18
No (n)		0	0	0	0
Absent (0)	6	6	6	6	8
Abstain (a)	0	0	1 on 4a	0	0

Weighted Vote Summary

"Yes"	"No"

Item Carries by
Simple Vote?
Item Carries by
Weighted Vote?

(1) Under simple voting, item carries if it receives an affirmative vote of a majority of the total membership (14 votes)

(2) Under weighted voting, item carries if it receives the affirmative vote of directors representing both

- a) A majority of the members present and voting, and
- b) a majority of the number of votes represented by directors present

Bay Area Water Supply and Conservation Agency

Board of Directors Meeting Attendance Roster

Director	Agency	Mar. 16 2023	Jan. 19, 2023	Nov. 17, 2022	Sept. 15, 2022	July 21, 2022	May 19, 2022
Andrews, Angela	Hayward		✓	✓	✓	✓	✓
Benton, Jay	Hillsborough		✓	✓		✓	✓
Breault, Randy	Guadalupe		✓	✓		✓	✓
Chambers, Tom	Westborough	✓	✓	✓	✓	✓	✓
Cohen, David	San Jose	✓	✓	*	*	*	*
Cormack, Alison	Palo Alto	✓	✓	✓	✓		✓
Doerr, Maria	Menlo Park	✓	✓	*	✓	*	✓
Hamilton, Tom	San Bruno	✓	✓	✓	✓	✓	✓
Hardy, Karen	Santa Clara	✓	✓	✓	✓	✓	✓
Hindi, Sam	Foster City	✓		✓	✓	✓	✓
Jordan, Steve	Purissima	✓	✓	✓	✓	✓	✓
Larsson, Gustav	Sunnyvale	✓	✓	✓	✓	✓	✓
Lopez, Antonio	East Palo Alto		✓	✓	✓		
Manalo, Juslyn	Daly City	✓	✓	✓	✓		✓
Matichak, Lisa	Mountain View	✓	✓		✓	✓	✓
Mickelsen, Chris	Coastside	✓	✓	✓			
Montano, Carmen	Milpitas	✓			✓		✓
O'Brien, Ann	Burlingame	✓	✓	✓	✓	✓	✓
Piccolotti, Tom	North Coast	✓	✓	✓	✓	✓	✓
Pierce, Barbara	Redwood City	✓	✓	✓	✓	✓	✓
Schneider, Ann	Millbrae	✓	✓	*	*	*	✓*
Smegal, Tom	Cal Water		✓		✓	✓	✓*
Vella, Louis	Mid-Peninsula	✓	✓	✓	✓	✓	✓
Weed, John	ACWD	✓	✓	✓	✓	✓	✓
Wood, Sepi	Brisbane		✓	✓	✓	✓	✓
Zigterman, Tom	Stanford	✓			✓	✓	✓

✓ : Present

* : Predecessor