

**BAY AREA WATER SUPPLY AND CONSERVATION AGENCY
BOARD OF DIRECTORS MEETING****May 18, 2023 – 6:30 p.m.**

(One Member of the Board will participated in this meeting by Teleconference. Locale was: City of Hayward City Hall, Conf. Rm 2B, 777 B St. Hayward Ca. 94541. When any member of the board participates by teleconference, all votes taken at the meeting is by roll call vote.)

MINUTES

1. Call to Order/Pledge of Allegiance/Roll Call – 6:33 pm.

BAWSCA Chair, Gustav Larsson, called the meeting to order. Nicole Sandkulla called the roll. Seventeen (17) members of the Board were present at roll call. Four (4) members of the Board arrived after roll call. A list of Directors present (21) and absent (5) is attached.

2. Comments by the Chair:

Chair Larsson provided opening remarks regarding the Board's anticipated action on the proposed FY 2023-24 work plan, results to be achieved and budget, and Strategy 2045.

3. Board Policy Committee Report:

Committee Vice Chair Vella reported on the discussions and actions taken by the Board Policy Committee at its meeting on April 12, 2023. The summary report included in the agenda provides details of the discussions.

4. Consent Calendar:

Director Wood made a motion, seconded by Director Doerr, that the Board approve the Minutes of the March 16, 2023 meeting; receive and file the Budget Status Report as of March 31, 2023, the Bond Surcharge Collection, Account Balance and Payment Report as of March 31, 2023, the Investment Report as of March 31, 2023, the Directors' Reimbursement Report as March 31, 2023, and approve the Proposed Modifications to BAWSCA's Investment Policy to Ensure Safety of Bank Deposits over \$250,000.

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

5. SFPUC Report:

Ms. Alison Kastama, SFPUC Liaison for BAWSCA, provided a water supply conditions update in which she noted:

- Current conditions are good. Water bank is full and total system storage is expected to fill by July 1. There is space in the reservoir now for the snowmelt. The State's drought conditions have dramatically improved with just a few areas remaining in moderate drought.

- Water available to San Francisco is currently at 1,384 acre-feet, which is twice what is required.
- Water consumption continues to be depressed and remains below the 2015 drought level.
- The SFPUC is closely monitoring three proposed pieces of state legislation that would have potential negative impacts on the region's water rights by expanding the State Water Resource Control Board's control over water rights. Floor votes for each of the three bills is expected between May 22nd and June 2.
- Minimum Purchase Requirements are expected to be in effect for those four BAWSCA agencies that have minimum purchase obligations as of FY 2023-24, with expectations of the State Board's drought regulations expiring in June.
- The SFPUC celebrated the 100th year anniversary of the construction of O'Shaughnessy Dam on May 2nd, in which BAWSCA Board Chair Gustav Larsson spoke on behalf of the BAWSCA region, along with San Francisco Mayor London Breed, SFPUC Commission President Newsha Ajami, and SFPUC General Manager Dennis Herrera.

6. Public Comments on Items Not on the Agenda:

There were no public comments.

7. Action Calendar:

- A. Proposed Fiscal Year 2023-24 Work Plan, Results to be Achieved, and Operating Budget.

Director Hardy made a motion, seconded by Director Pierce, that the Board approve the:

- 1. Proposed Fiscal Year 2023-24 Work Plan and Results to be Achieved;**
- 2. Proposed Operating Budget of \$4,814,667; and**
- 3. Proposed funding plan of 0% assessment increase (\$4,838,897) to fund the Operating Budget.**

The motion passed unanimously. See roll call tally attached.

- B. Approval of Professional Services Contracts for FY 2023-24

Director Cormack made a motion, seconded by Director Manalo, that the Board approve the twenty-five (25) contracts, subject to legal counsel's review, for legal, engineering, financial, strategic and water conservation services needing to be in place by July 1, 2023.

The motion passed unanimously. See roll call tally attached.

- C. Authorization of Professional Services Contract to Support the Scoping of BAWSCA's Long-Term Reliable Water Supply Strategy 2045.

Director Schneider made a motion, seconded by Director Vella, that the Board authorize the CEO/General Manager to:

- 1. Negotiate and execute a contract with EKI Environment and Water, Inc. in an amount not-to-exceed \$146,752, subject to legal counsel's final review, to support the scoping of BAWSCA's Long-Term Reliable Water Supply Strategy 2045;**
- 2. Transfer \$55,000 from FY 2023-24 budgeted contingency to project funds; and**
- 3. Transfer \$56,752 from the General Reserve to the FY 2023-24 Operating Budget.**

The motion passed unanimously. See roll call tally attached.

- D. Amendment to Hanson Bridgett FY 2022-23 Professional Services Contract

Director Wood made a motion, seconded by Director Hardy, that the Board authorize the CEO/General Manager to amend the professional services contract with Hanson Bridgett by \$50,000 for a total not to exceed amount of \$831,500.

The motion passed unanimously. See roll call tally attached.

8. CEO Reports:

CEO/General Manager, Nicole Sandkulla, provided a update on Water Supply Conditions and developments on the Bay Delta Plan.

According to data reported by member agencies to the State, total potable water use as of March 2023 is 28% less than March 2013, and 19% less than in March 2021. BAWSCA will continue to closely monitor this data as the region recovers from the drought to better discern what kind of rebound will develop over time given our current environment.

The State Water Resources Control Board (State Board) held a scoping meeting on May 18th for a Notice of Preparation for development of an environmental document related to the proposed Tuolumne River Voluntary Agreement. This scoping meeting initiates the State Board's evaluation of the proposed Tuolumne River Voluntary Agreement as an amendment to the adopted Bay Delta Plan.

BAWSCA provided oral comments at the scoping meeting in support of the State Board's evaluation of the proposed Tuolumne River Voluntary Agreement.

In her statement, Ms. Sandkulla noted that; "the proposed Voluntary Agreement for the Tuolumne River could be a big step forward in providing more flows and increased habitat for fish in the Tuolumne River and ensuring a continuing reliable supply of high-quality water at a fair price for the health, safety, and economic well-being of BAWSCA's water users."

9. Closed Session:

The meeting adjourned to Closed Session at 8:19pm

10. Report from Closed Session:

Chair Larsson reconvened Open Session.

Legal Counsel Allison Schutte reported that the Board reconvened from Closed Session at 8:37 pm. There was no reportable action taken during Closed Session.

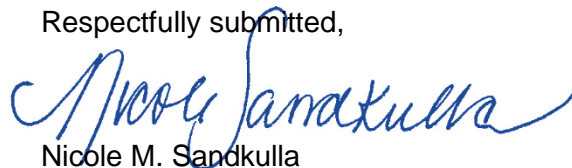
11. Directors' Discussion: Comments, Questions and Agenda Requests:

Chair Larsson reported that he attended the SFPUC's Centennial celebration of the O'Shaughnessy Dam construction with Vice Chair Tom Chambers, CEO/General Manager Nicole Sandkulla, and Water Resources Manager Tom Francis.

Chair Larsson recognized four members of the Board whose terms will be expiring on June 30th, 2023. He thanked Directors Benton of Hillsborough, Ann O'Brien-Keighran of Burlingame, Alison Cormack of Palo Alto, and Sepi Wood of Brisbane, for their dedicated service on the BAWSCA Board.

12. Date, Time and Location of Next Meeting: The next meeting scheduled on July 20, 2023 at 6:30pm.**13. Adjournment:** The meeting adjourned at 8:46 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: 18-May-23

Agency	Director	Present/ Absent	Item #4 Consent	Item #7A WorkPlan Budget	Item #7B Contracts	Item #7C Strategy	Item #7D HB Contract Amend	Weighted Voting ⁽²⁾	
								Weighted "Yes" Votes	Weighted "No" Votes
Hayward	Andrews, Angela	y	y	y	y	y	y		
Hillsborough	Benton, Jay	y	y	y	y	y	y		
Guadalupe	Breault, Randy	0	0	0	0	0	0		
Westborough	Chambers, Tom	y	y	y	y	y	y		
San Jose	Cohen, David	0	0	0	0	0	0		
Palo Alto	Cormack, Alison	y	y	y	y	y	y		
Menlo Park	Doerr, Maria	y	y	y	y	y	y		
San Bruno	Hamilton, Tom	y	y	y	y	y	y		
Santa Clara	Hardy, Karen	0	0	y	y	y	y		
Foster City	Hindi, Sam	0	y	y	y	y	y		
Purissima	Jordan, Steve	y	y	y	y	y	y		
Sunnyvale	Larsson, Gustav	y	y	y	y	y	y		
East Palo Alto	Lopez, Antonio	0	0	0	0	0	0		
Daly City	Manalo, Juslyn	0	0	y	y	y	y		
Mountain View	Matchak, Lisa	y	y	y	y	y	y		
Coastside	Mickelsen, Chris	y	y	y	y	y	y		
Milpitas	Montano, Carmen	0	0	0	0	0	0		
Burlingame	O'Brien, Ann	y	y	y	y	y	y		
North Coast	Piccolotti, Tom	0	0	y	y	y	y		
Redwood City	Pierce, Barbara	y	y	y	y	y	y		
Millbrae	Schneider, Ann	y	y	y	y	y	y		
Cal Water	Smegal, Tom	0	0	0	0	0	0		
Mid-Peninsula	Vella, Louis	y	y	y	y	y	y		
ACWD	Weed, John	y	y	y	y	y	y		
Brisbane	Wood, Sepi	y	y	y	y	y	y		
Stanford	Zigterman, Tom	y	y	y	y	y	y		

Vote Tally

							Weighted Vote Summary	
							"Yes"	"No"
Yes (y)	17	18	21	21	21	21		
No (n)								
Absent (0)	9	8	5	5	5	5		
Abstain (a)								
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	May 18, 2023	Mar. 16 2023	Jan. 19, 2023	Nov. 17, 2022	Sept. 15, 2022	July 21, 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