

**BAY AREA WATER SUPPLY AND CONSERVATION AGENCY  
BOARD OF DIRECTORS MEETING****SPECIAL MEETING  
September 27, 2023 – 6:30 p.m.****MINUTES****1. Call to Order/Pledge of Allegiance/Roll Call – 6:30 pm.**

BAWSCA Chair, Gustav Larsson, called the meeting to order. CEO/General Manager Nicole Sandkulla called the roll. Twenty (20) members of the Board were present at roll call. Two (2) members of the Board arrived after roll call. A list of Directors present (22) and absent (4) is attached.

**2. Comments by the Chair:**

Chair Larsson noted the 2 reports staff will provide the Board on BAWSCA's work that is directly related to its goal of a Reliable Supply of High-Quality Water at a Fair Price.

BAWSCA is facilitating the Tier 2 Drought Allocation Plan negotiations between the member agencies for a new Tier 2 Drought Allocation Plan, which continues to be challenging. The Board will be asked to consider a one-year extension of the existing Tier 2 Plan to provide more time to complete the negotiations and ensure that a Tier 2 Plan is in place in the event of a drought next year.

Staff will engage in Board discussions regarding the effort's purpose, objective, and desired outcomes of BAWSCA's Strategy 2045. Chair Larsson emphasized that the Board's feedback is critically important as BAWSCA works to scope Strategy 2045 this fiscal year. He noted SFPUC's comment at the July Board meeting that it is moving forward with its Alternative Water Supply Plan to ensure that it can meet its contractual and legal obligations for a reliable water supply to the BAWSCA agencies. At the same time, the SFPUC acknowledged the need for BAWSCA and its member agencies to be able to move forward with separate planning efforts to address the water supply needs for their communities beyond what the SFPUC believes are its obligations. BAWSCA's Strategy 2045 is one way to consider what further actions should be taken by BAWSCA to meet its goal of a Reliable Supply of High-Quality Water at a Fair Price.

Chair Larsson announced that the 20th anniversary recognition event for BAWSCA is rescheduled for November 16th. BAWSCA will host a modest reception starting at 5:30 prior to the Board meeting with light refreshments followed by a short presentation during the board meeting to highlight a few vital results and recognize key individuals.

There will be no Board Policy Committee Report as it did not meet in August.

**3. SFPUC Report:**

Ms. Alison Kastama, SFPUC Liaison to BAWSCA, provided a water supply condition update for the Regional Water System, and a status report on three legislations.

**4. Consent Calendar:**

**Director Pierce made a motion, seconded by Director Vella, that the Board approve the Minutes of the July 20, 2023 meeting; receive and file the Pre-Audit Budget Status Report as of June 30, 2023, the Investment Report as of June 30, 2023, the Directors' Reimbursement Report as of June 30, 2023, and the Bond Surcharge Collection, Account Balance and Payment Report for Fiscal Year ending June 30, 2023.**

The motion passed unanimously.

**5. Public Comments on Items Not on the Agenda:**

Public comments were provided by Dave Warner, Peter Drekmeier, and Susan Stansbury.

**6. Reports and Discussions:**

Ms. McPherson, Senior Water Resources Specialist, provided the Board with an update on negotiations of a new Tier 2 Drought Allocation Plan.

Comments and questions were taken from members of the Board. Public comments were provided by Peter Drekmeier and Chuck Piercey.

Ms. Sandkulla reported on BAWSCA's Long-Term Reliable Water Supply Strategy 2045.

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

**8. CEO Reports:**

Ms. Tang, Finance Manager, provided a update on BAWSCA's OPEB and Pension Liability Funded status, with an informational report on the SFPUC's OPEB and Pension Liability Funded status.

Ms. Sandkulla reported the recent actions by the State Board to move forward with the Bay Delta Plan Amendments.

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

**9. Closed Session #1:**

There were no public comments prior to adjourning to Closed Session #1.

The meeting adjourned to Closed Session at 7:59pm

**10. Report from Closed Session:**

Chair Larsson reconvened the meeting to Open Session.

Legal Counsel, Allison Schutte, reported that the Board reconvened from Closed Session at 8:30 pm. There was no reportable action taken during Closed Session.

**11. Closed Session #2:**

There were no public comments prior to adjourning to Closed Session #2.

The meeting adjourned to Closed Session #2 at 8:31pm

**12. Report from Closed Session #2**

Chair Larsson re-convened open session and reported that Closed Session #2 ended at 9:18 pm. The Board reviewed the CEO/General Manager's performance and found her performance to be outstanding.

Chair Larsson opened the floor for a motion to extend the meeting.

**Director Breault made a motion, seconded by Director Hamilton, to extend the meeting no later than 9:45pm.**

**The motion passed unanimously.**

**13. Action Following Closed Session:**

**There were no comments from members of the public.**

**Director Schneider made a motion, seconded by Director Smegal, that the Board approve the declaration that the compensation of the CEO/General Manager is under ongoing negotiation and is therefore uncertain and undetermined, and that any such new compensation for the CEO/General Manager, as may be subsequently adopted by the Board of Directors, may be applied effective as of September 27, 2023, in consideration of the services provided by the CEO/General Manager henceforth, should labor negotiations result in such a recommendation.**

**The motion passed unanimously.**

**14. Directors' Discussion: Comments, Questions and Agenda Requests:**

There were no comments from members of the Board.

**14. Date, Time and Location of Next Meeting:** The next meeting is scheduled on November 16, 2023 at 6:30pm.**15. Adjournment:** The meeting adjourned at 9:26 pm

Respectfully submitted,



Nicole Sandkulla  
CEO/General Manager

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

## Roll Call & Voting Log - BAWSCA

Meeting Date: 27-Sep-23

Agency	Director					Weighted Voting <sup>(2)</sup>	
		Present/ Absent	Item #4 Consent	Item #12A CEO/GM Comp	Other	Weighted "Yes" Votes	Weighted "No" Votes
Hayward	Andrews, Angela	✓	✓	✓			
Brisbane	Breault, Randy	✓	✓	✓			
Guadalupe	Breault, Randy	✓	✓	✓			
Westborough	Chambers, Tom	✓	✓	✓			
San Jose	Cohen, David	✓	✓	✓			
Menlo Park	Doerr, Maria	✓	✓	✓			
San Bruno	Hamilton, Tom	✓	✓	✓			
Santa Clara	Hardy, Karen						
Foster City	Hindi, Sam	✓	✓	✓			
Purissima	Jordan, Steve	✓	✓	✓			
Sunnyvale	Larsson, Gustav	✓	✓	✓			
East Palo Alto	Lopez, Antonio	✓	✓				
Daly City	Manalo, Juslyn						
Mountain View	Matichak, Lisa	✓	✓	✓			
Coastside	Mickelsen, Chris						
Milpitas	Montano, Carmen						
North Coast	Piccolotti, Tom	✓	✓	✓			
Redwood City	Pierce, Barbara	✓	✓	✓			
Hillsborough	Ragsdale, Leslie	✓	✓	✓			
Millbrae	Schneider, Ann	✓	✓	✓			
Cal Water	Smegal, Tom	✓	✓	✓			
Burlingame	Stevenson, Peter	✓	✓	✓			
Palo Alto	Stone, Greer	✓	✓	✓			
Mid-Peninsula	Vella, Louis	✓	✓	✓			
ACWD	Weed, John	✓	✓	✓			
Stanford	Zigterman, Tom	✓	✓	✓			

Vote Tally					Weighted Vote Summary	
	Yes (y)	No (n)	Absent (0)	Abstain (a)	"Yes"	"No"
Yes (y)	22	0	4	0		
No (n)		0	4	0		
Absent (0)			4	0		
Abstain (a)				0		
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 (15 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	Sept. 27, 2023	July 20, 2023	May 18, 2023	Mar. 16 2023	Jan. 19, 2023	Nov. 17, 2022
Andrews, Angela	Hayward	✓	✓	✓		✓	✓
Breault, Randy	Guadalupe	✓	✓			✓	✓
Breault, Randy	Brisbane	✓	vacant	✓*	*	✓*	✓*
Chambers, Tom	Westborough	✓	✓	✓	✓	✓	✓
Cohen, David	San Jose	✓			✓	✓	*
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		✓		✓		
Piccolotti, Tom	North Coast	✓		✓	✓	✓	✓
Pierce, Barbara	Redwood City	✓	✓	✓	✓	✓	✓
Ragsdale, Leslie	Hillsborough	✓	✓	✓*	*	✓*	✓*
Schneider, Ann	Millbrae	✓	✓	✓	✓	✓	*
Smegal, Tom	Cal Water	✓	✓			✓	
Stone, Greer	Palo Alto	✓		✓*	✓*	✓*	✓*
Stevenson, Peter	Burlingame	✓	✓	✓*	✓*	✓*	✓*
Vella, Louis	Mid-Peninsula	✓	✓	✓	✓	✓	✓
Weed, John	ACWD	✓		✓	✓	✓	✓
Zigterman, Tom	Stanford	✓	✓	✓	✓		
Vacant	Brisbane	✓	vacant	✓*	*	✓*	✓*

✓ : Present

\* : Predecessor