

BAY AREA WATER SUPPLY AND CONSERVATION AGENCY

BOARD POLICY COMMITTEE

October 9, 2024 – 1:30 p.m.

MINUTES

1. **Call to Order:** Committee Chair, Karen Hardy, called the meeting to order at 1:31pm. CEO/General Manager, Nicole Sandkulla called the roll. Seven members (7) of the Committee were present with one member participating via teleconference in accordance with the traditional Brown Act rules. A list of Committee members who were present (7), absent (2), and other attendees is attached.

The Committee took the following actions and discussed the following topics.

2. **Comments by Committee Chair:** Committee Chair Hardy clarified that while the meeting is being livestreamed with one Committee member participating via teleconference in accordance with the traditional Brown Act, the meeting is not a hybrid meeting. All public comments shall be made in-person, or from the teleconferencing location. Accordingly, all committee actions require a roll call vote.

3. **Consent Calendar:**

Director Chambers made a motion, seconded by Director Schneider, that the Committee approve the Minutes of the June 12, 2024 Board Policy Committee meeting.

The motion passed unanimously by roll call vote.

There were no comments from members of the Committee or from members of the public on the consent calendar.

4. **Public Comments:** There were no public comments.

5. **Action Calendar:**

- A. Adoption of Resolution #2024-03 Approving the Extension of the 2021 Amended and Restated Tier 2 Drought Response Implementation Plan: BAWSCA Sr. Water Resources Specialist, Danielle McPherson, reported on the item. She reminded the Committee that shortages on the San Francisco Regional Water System (RWS) are governed by two plans. The Tier 1 Plan is the method of allocating RWS supplies between San Francisco's Retail Customers and the Wholesale Customers collectively. The Tier 2 Plan is the method that allocates RWS supplies among the 26 wholesale customers. These two Plans apply only during system-wide shortages of 20% or less caused by drought.

The Water Supply Agreement between San Francisco and the Wholesale Customers provides that the San Francisco Public Utilities Commission (SFPUC) will honor the Tier 2 allocations that are unanimously agreed to by the Wholesale Customers.

As a reminder, Ms. McPherson noted that the current Tier 2 Plan was adopted in 2011 and was originally set to expire in 2018 to align with decisions the SFPUC had

planned to make. The Board has extended the current Tier 2 Plan on a one-year basis each year since 2018 until an update to the Tier 2 Plan was developed. State regulatory matters, including the development of new water-use efficiency legislation, were expected to have impacts on agencies and therefore the update was postponed until more information from the State was available.

In January 2022, the Water Management Representatives and BAWSCA initiated negotiations of an updated Tier 2 Plan. As previously reported, Ms. McPherson was pleased to inform the Committee that the 26 member agencies came to an agreement on an updated Tier 2 Plan at the June 2024 Tier 2 workshop.

There are agencies whose governing bodies are scheduled to begin adopting the updated Plan possibly as early as December, however, the adoption process for all 26 agencies is expected to take approximately six (6) months.

The Committee was presented with a recommendation to extend the existing Tier 2 Plan for one year to ensure an allocation plan is in place, should the SFPUC declare a shortage while the unanimous adoption of the updated Tier 2 Plan by the agencies is in process. The extension to the existing Tier 2 Plan contains language that clarifies that the updated Tier 2 Plan will replace the existing Tier 2 Plan once it is unanimously approved by all 26 member agencies.

Ms. McPherson reported that in addition to the updated Tier 2 Plan, the agencies have agreed to an amendment to the WSA that includes 1) an update to certain elements of the Tier 1 Plan, and 2) addressing the challenges of the minimum purchase requirements.

BAWSCA is working with Legal Counsel to develop the adoption materials for the agencies.

Director Pierce asked for clarification on whether the agencies have agreed on the elements of the Tier 2 Plan as well as the WSA amendment.

Ms. Sandkulla confirmed that the 26 agencies have reached agreement on all elements of the updated Tier 2 Plan. One agency remains in discussions regarding the proposed minimum purchase amendments.

Director Pierce asked if the Board will need to vote in case unanimity is not reached by the agencies.

Ms. Sandkulla explained that the Board can act on the Tier 2 Plan only, but not the WSA amendments.

She noted that, the updated Tier 2 Plan results in greater cutbacks to the minimum purchase agencies. Those agencies have indicated that adjustments to the existing minimum purchase obligations are necessary in order for them to accept the higher cutbacks during drought. The BAWSCA Board does not have authority to act on a WSA amendment. The WSA adoption process and approval threshold for any amendment is prescribed in the WSA.

There were no further comments from members of the committee and the public.

Director Pierce made a motion, seconded by Director Ragsdale, that the Board Policy Committee recommend Board adoption of Resolution #2024-03, extending the term of the 2021 Amended and Restated Tier 2 Plan through December 31, 2025.

The motion passed unanimously by roll call vote.

- B. Annual Review and Consideration of BAWSCA's Investment Policy: BAWSCA Finance Manager, Christina Tang, reported that the Board reviews the Statement of the Investment Policy every year as required by BAWSCA's Investment Policy. The policy applies to all the investment activities under the direction of the agency. The primary objectives, in the order of priority, are safety, liquidity, and yield.

The previous review of the policy was done in May 2023, at which time modifications were made to 1) include a requirement that bank deposits, in excess of the FDIC limit, be collateralized with securities in accordance with State law, and 2) eliminate the maximum deposit limit of \$250,000.

BAWSCA's legal counsel has confirmed that the Statement of the Investment Policy is consistent with current State law.

Ms. Tang noted that unlike other agencies whose investment policy only governs its operating funds, BAWSCA's investment policy includes agency funds and the bond funds.

BAWSCA's investment policy indicates the permitted investments for the bond proceeds held by the Trustee, Bank of New York. Permitted investments for bond proceeds include Federal Securities, US Agency Securities, money market mutual funds, and CD's. Permitted investments for agency funds include state or national banks or state or federal savings associations with offices in California and the Local Agency Investment Fund.

Based on review of BAWSCA's current circumstances, BAWSCA believes that the permitted investments are consistent with BAWSCA's risk tolerance and primary objectives. No changes to the Investment Policy for both the agency funds and bond funds are recommended at this time.

Ms. Tang explained that in the bond proceeds, there is a subset of funds labeled as Stabilization Funds. The Stabilization Funds are a reserve intended to cover the debt service payments in the event of shortfalls in the bond surcharge collection.

A review of the investment strategy for BAWSCA's Stabilization Funds was also performed as part of the annual Investment Policy review.

Ms. Tang reported that despite the Federal Reserve's reduction of interest rates from their highest level in over 20 years, rates in the 0-5 year ranges remain elevated since 2022. BAWSCA's investment strategy for the Stabilization Funds is performing well, and continues to provide important yield curve diversification against both market price and reinvestment rate risks.

As of October 8th, the total bond funds held by the Trustee is \$17,132,713. It is comprised of \$5.0 million in bond surcharges collected from the member agencies to pay for the bi-annual debt service payments. Those funds are kept in a money market fund. There are also \$12.1 million in Stabilization Funds that are invested in US Treasury Securities.

Ms. Tang presented a chart that represents BAWSCA's portfolio maturity distribution as of October 8th. The Stabilization Funds are invested in US Treasury Securities maturing in 6-months intervals to coincide with BAWSCA's debt service payment date throughout the next 5-years. In light of the recent market development, BAWSCA and its investment advisors believe that the current strategy remains appropriate. Longer-maturity strategies have historical benefits of providing greater investment returns over time while protecting the agency against reinvestment rate risks.

Based on BAWSCA's evaluation, the current 0-5 year ladder maturity investment strategy remains appropriate.

Ms. Tang welcomed comments and questions from members of the committee.

Director Ragsdale appreciated that the report included a detailed history of what the Board did over the years. It was helpful information for a new member of the Board.

There were no further comments and questions from members of the Committee or of the public.

Director Chambers made a motion, seconded by Director Vella, that the Board Policy Committee recommend Board re-affirmation of the current Statement of Investment Policy.

The motion passed unanimously by roll call vote.

- C. Creation of Transition Manager Position, Adopting Revised Publicly Available Pay Scale, and Appointing Nicole Sandkulla to the Transition Manager Position: Legal Counsel, Allison Schutte reported that the next three items; #5C, #5D, and #5E, are personnel matters associated with new positions and ensuring that BAWSCA's publicly available pay schedules meet the standards that the California Public Employees Retirement System (CalPers) requires.

Ms. Schutte noted that item #5C, and the subsequent items, are statutorily driven and therefore have language and procedures that are specific to ensure agency compliance with Government Code.

The creation of a new Transition Manager position was conceptualized by the Ad Hoc Recruitment Committee during their process of hiring a new CEO/General Manager and identifying the timing of when the new hire should start and how long Ms. Sandkulla can stay on to ensure a smooth transition for the agency. Following review of Mr. Smegal's and Ms. Sandkulla's availabilities over the next few months, the idea was solidified as a full-time Transition Manager position for a 1-month period of December 2024. During that time, Ms. Sandkulla will remain a full-time

employee of BAWSCA and will receive the same benefits and compensation for a period of one-month to allow her to work with Mr. Smegal on the December BPC meeting and the budget review process that occurs in the winter.

Director Hardy asked if this was the same process used when Ms. Sandkulla transitioned into the CEO/General Manager position in 2013.

Ms. Schutte explained that because Ms. Sandkulla was an existing employee of BAWSCA, she transitioned with Mr. Jensen in real-time until Mr. Jensen's last day as the CEO/General Manager. Public agencies are not allowed to have two individuals in the same position. Mr. Jensen did, however, serve as Special Counsel to Ms. Sandkulla, which is a similar process to what will be presented to the Committee in the next agenda item.

Directors Shneider, Chambers, Duncan, and Vella expressed their support for the recommendation.

Director Vella noted that other agencies have done the same process to ensure a seamless transition of a key position.

There were no further comments from members of the Committee or members of the public.

Director Schneider made a motion, seconded by Director Vella, that the Board Policy Committee recommend the Board:

- A. Approve creation of the Transition Manager position;**
- B. Approve adding the Transition Manager position to BAWSCA's publicly available pay scale for FY 2024-25; and**
- C. Appoint Ms. Sandkulla to the Transition Manager position effective December 1, 2024.**

The motion passed unanimously by roll call vote.

- D. Resolution Approving the Temporary Appointment of Nicole Sandkulla as Special Counsel to the CEO/GM and Adoption of the Pay Schedule for the Special Counsel Position: Ms. Schutte reported that this item was also considered by the Ad Hoc Committee and is a similar process undertaken by the Board in 2013 to support the transition of Ms. Sandkulla as BAWSCA CEO/General Manager.

Ms. Sandkulla will retire effective December 31, 2024, and because Mr. Smegal is not in-house prior to December 1st, her services and executive strategic advice on projects that are ongoing will continue to be essential. The Ad Hoc Committee wanted to create a position that would be available on an as-needed basis that enables Mr. Smegal to call on Ms. Sandkulla's counsel, as Ms. Sandkulla did with Mr. Jensen.

Because she will be a retired annuitant, there are extremely detailed conditions set by CalPERS to allow the temporary employment of a PERS-covered retiree. Those conditions include:

- No more than 960 hours per fiscal year;

- Salary consistent with the adopted salary range for the most closely related position;
- No other benefit, incentive, or compensation in-lieu of in addition to the hourly rate; and
- If hired within 180 days following retirement, she fills a critically needed position.

In general, retired annuitants are required to have a 6-month break before coming back to an agency to fill a position, unless the Board clearly declares that Ms. Sandkulla's services are needed immediately after her retirement.

Ms. Schutte stated that the requested Committee action is to recommend Board adoption of a resolution that reflects the specified conditions and findings as required by CalPERS.

To clarify the duration, Ms. Schutte stated that the resolution includes a 24-month timeframe, as was done for Mr. Jensen, which was further extended beyond 24-months due to ongoing negotiations with San Francisco at that time.

The need for Ms. Sandkulla to provide further consultation beyond the specified timeframe is unknown, but the Committee recommendation for Board action is for a 24-month period.

There were no further comments or questions from members of the Committee or the public.

Director Chambers made a motion, seconded by Director Pierce, that the Board Policy Committee recommend the Board to:

- 1. Adopt Resolution #2024-04 approving the temporary appointment of Nicole Sandkulla to the position of Special Counsel to the CEO/GM,**
- 2. Adopting the pay scale for the Special Counsel position, and**
- 3. Making associated findings in support of such an appointment.**

The motion passed unanimously by roll call vote.

- E. Adoption of BAWSCA Retroactive Pay Schedules for FY 2020-21 to 2023-24 and Pay Schedule for FY 2024-25: Ms. Schutte reported that BAWSCA has had a pay schedule posted on the website for several years, and in the process of Ms. Sandkulla's work on her retirement, it was discovered that CalPERS wanted a separate format for the schedule on BAWSCA's website.

This item is to meet the specific requirements by CalPERS, and the Committee action is to recommend Board approval of existing pay schedules from previous years; FY 2020-21 through FY 2023-24, and the updated pay schedule for FY 2024-25 that includes the new positions previously discussed.

Since the last retirement from BAWSCA was 11 years ago, BAWSCA does not often interact with CalPERS on these matters. The basis for the recommended action is CalPERS' strict requirements which should be followed exactly.

The pay schedules completely line up with the approved operating budget for each fiscal year and the top step salaries that were discussed and approved by the Board. Moving forward, the pay schedule will be a part of the budget process and will be updated twice during the year to coincide with 1) the workplan and budget development that includes employee pay schedules on a fiscal year basis: July 1st through June 30th; and 2) the CEO performance evaluation in September which will include an update to the pay schedule for the CEO.

Director Ragsdale suggested that the staff report to the Board in November should clearly state, perhaps several times and several different ways, that this is not a retroactive pay, and that the pay schedules reflect what has been approved.

There were no further comments or questions from members of the Committee or the public.

Director Schneider made a motion, seconded by Director Chambers, that the Committee recommend Board adoption of BAWSCA Retroactive Pay Schedules for FY 2020-21, FY 2021-22, FY 2022-23, FY 2023-24, and Pay Schedule for FY 2024-25.

The motion passed unanimously by roll call vote.

- F. Adoption of Ordinance #2024-01 to Increase Board Member Compensation: Ms. Schutte reported that over the past year and a half, the Board has evaluated whether, or not, to increase Board member compensation. At the September 19th Board meeting, the Board directed Legal Counsel to prepare a revised ordinance to increase Board member compensation up to \$200.

Ms. Schutte noted that the staff report provided to the BPC includes the Notice of Public Hearing and Summary of Ordinance which will be published in accordance with the Government Code, which requires transparency around Board member compensation.

Discussions at the September Board meeting indicated a majority of the Board wanted to bring back an action item to the Board to increase the Board compensation per day of service to \$200, which is the maximum allowable increase using a simple percentage increase calculation. The maximum days of service per month, which is four (4), will remain unchanged. Additionally, the Board wanted a review of Board member compensation every five (5) years included in the Ordinance.

Ordinance #2004-01, Providing for Compensation of Members of the Board of Directors, and the revised proposed Ordinance, both specify that days of service include: meetings of the Board; Committee meetings of the Board; and types of activities, enumerated in an adopted resolution, that constitute service rendered “at the request of the board.”

The Policy on Reimbursement of Directors’ Expenses, Resolution #2006-02 (“Reimbursement Policy”). enumerates many authorized official duties: including, for example, Board and Committee meetings; meetings of multi-agency organizations to

which the director has been appointed as BAWSCA's representative; and attendance by the Chair or Vice Chair to meetings held by the San Francisco Public Utilities Commission or state agencies, such as Department of Water Resources, among others, that require representation by Board leadership. See the [Reimbursement Policy](#) for a complete list.

Ms. Schutte explained that there will need to be a public hearing at the November 21st Board meeting in order for the Board to adopt the revised Ordinance. The public hearing will need to be noticed in a newspaper of general circulation, two times prior to the date of the public hearing. Ms. Schutte also recommends publishing a summary of the new Ordinance in a newspaper after its adoption as the Water Code requires an effective date 60 days from adoption.

If the Board adopts the compensation increase at its November 21st meeting, the earliest effective date for the increase is January 20, 2025.

The Committee action is to direct staff to effectuate a Notice of Public Hearing so that the Board can hold a public hearing at the November 21, 2024 Board meeting to adopt Ordinance #2024-01, increasing Board member compensation to \$200/day for attending meetings and each day of service in accordance with the agency's Reimbursement Policy; and require review of Board member compensation on a five (5) year interval.

Ms. Sandkulla noted that the language of the recommended action provided in the staff memo was revised to what is shown on the slide because as she and Legal Counsel reflected on the item, they agreed that further clarification was needed.

Committee comments and questions were taken following Ms. Schutte's report.

Chair Hardy asked the reason behind using the word compensation instead of stipend, and asked if the compensation includes Ad Hoc Committees or Conferences a Board member is requested to attend.

Ms. Schutte explained that stipend and compensation are used interchangeably in this case; and, generally, the Ordinance specifies attendance at Board meetings, Committee meetings, and service otherwise rendered as a Director at the request of the Board. However, the original Ordinance adopted in 2004, and the revised Ordinance, refer to compensation for the day of service regardless of the number of meetings attended in one day. For example, if there were three meetings a Board member attended for BAWSCA in one day, the compensation will be \$200, not \$600.

To illustrate, the Board Chair typically represents BAWSCA at the ACWA conference. If the Chair is unable to attend, the Chair could request a fellow Board member to attend, in which case, the Board member can receive the \$200 compensation for each day of the conference.

Furthermore, in addition to what is already specified in the Ordinance and Reimbursement Policy, the Chair exercises leadership to determine what requested services will constitute compensable services. Ms. Schutte explained that per the adopted Rules of the Board, the Chair leads the Board for effective management of Board activities given that the Board meets every other month.

Director Schneider commented that she is pleased with what is included in the Ordinance. She noted that a suggestion was made at the September Board meeting for COLA to be included. She supported the notion at the time, but now realizes that it can be quite complicated given how inflation can be unpredictable.

In response to Director Ragsdale's suggestion to clarify the definition of "meetings", Ms. Schutte stated that "meeting", in general, refers to a legally noticed government meeting in accordance with the Brown Act. However, additional non-Brown Act meetings and services may constitute compensable activities. For example, Ad Hoc committee meetings are not Brown Act meetings, but, as meetings that took place at the request of the Chair, it is a "day of service" pursuant to the Ordinance.

Director Ragsdale noted the New Board member briefing meetings are not at the direction of the Chair, and therefore can be misinterpreted as a day of service meeting.

In response, Ms. Schutte suggested recirculating the existing Reimbursement Policy to the Board to remind members of existing authorized activities. Board member compensation and reimbursement of expenses are governed by both the Ordinance for Compensation and the Reimbursement Policy. For example, the proposed Ordinance for Compensation provides that a Board member may receive \$200 for each day of service. Board meetings constitute days of service to the Board and are compensable; furthermore, if Board members incur actual, necessary and reasonable expenses in attending authorized activities, such as Board meetings, they can seek reimbursement under the Reimbursement Policy. She will look into including the Reimbursement Policy as an attachment to the Ordinance item for reference by members of the Board. She noted that although the Reimbursement Policy is long standing, Board members have not generally utilized the Reimbursement Policy as part of the compensation that is available to them.

Additionally, Director Ragsdale inquired if the Board would want to specify a scheduled time for reviewing Board compensation every five (5) years for the sake of regularity. For example, in the first quarter, or in the month of January.

Ms. Sandkulla suggested including it as an item in the Policy Calendar with the flexibility of shifting it within the schedule of the fiscal year, given the mechanics required for the review process.

Director Chambers thanked staff and Legal Counsel for their work in putting together the recommended action, which is exactly what the Board wanted to have done based on discussions at the September Board meeting. He noted that while he believes the Committee should approve the recommended action, the Committee's recommendation is not reflective of how the Board may vote for the item at the November Board meeting. He urged the Board to give serious consideration of how public money should be spent to provide the maximum benefit to the public.

Director Schneider expressed her support for Director Ragsdale's comments about being specific to what types of meetings are compensable to set clear expectations.

Ms. Schutte stated that the proposed Ordinance is written in accordance with the provisions of the Government Code about days of service and meetings at the request of the board. She noted that agencies have different practices in compensating their boards, and that if the Ordinance and Reimbursement Policy do not provide sufficient

detail, she will further evaluate and discuss with the Chair the specifics of what activities and meetings should qualify.

Director Vella inquired that aside from the established meetings of the Board and BPC, should other meetings require pre-approval?

Ms. Schutte stated that the Reimbursement Policy is very clear on what costs are reimbursable, and will help identify compensation available to the Board as part of the Board memo on this item.

There being no further comments or questions, Director Hardy clarified that the Committee's action is to issue a Notice of Public Hearing to be held at the November 21st meeting, so that the Board can publicly discuss Board compensation at the meeting in accordance with the law. She opened the floor for a motion.

Director Schneider made a motion, seconded by Director Pierce, that the Board Policy Committee recommend that the Board hold a noticed public hearing in order to adopt Ordinance #2024-01 at the next available meeting, increasing the meeting stipend compensation to \$200/day for attending meetings and each day of service by request of the Board; and require review of Board member compensation on a five (5) year interval.

The motion passed unanimously by roll call vote.

6. CEO Reports:

- A. Bay-Delta Plan and FERC Update: Ms. Sandkulla reported that there are no substantial developments from what was reported to the Board in September about the Bay Delta Plan and FERC process. She noted that the State Board continues to do the necessary work to meet the current timelines for Phase 1 and Phase 2.
- B. Los Vaqueros Expansion (LVE) Project: Ms. Sandkulla reported that the Los Vaqueros Expansion Project is a regional effort that BAWSCA has been engaged in for a long time with Contra Costa Water District (CCWD), the SFPUC, and other agencies. It is a regional project to improve the Bay Area water supply reliability, water quality and provide ecosystem benefits.

The project has been heavily supported by the State and Federal governments with funds to support the ecosystem benefits gained by increasing the reservoir capacity from 160,000 to 275,000 acre feet.

Los Vaqueros is a reservoir that is currently owned, operated, and provides water supply to CCWD. The expansion project was envisioned to also include a new regional facility called the Transfer-Bethany pipeline and improved pump stations. CCWD, as the owner of the project, is a central figure in the LVE project.

LVE is a regional project with diverse beneficiaries including Alameda County Water District (ACWD), East Bay Municipal Utility District (EBMUD), Grassland Water District, Santa Clara Valley Water District, SFPUC, San Luis and Delta-Mendota Water Authority, and Zone 7 Water Agency. They are all partners in the Joint Powers Authority (JPA). BAWSCA is not a partner to the JPA, but had been involved in the discussions because it would receive benefits through its wholesale relationship with the SFPUC.

On September 18th, CCWD directed its General Manager to develop an approach to end CCWD's participation in the project. The Board's request was based on its conclusion that the project was no longer viable. This was a significant and unexpected announcement.

Ms. Sandkulla stated that the announcement was devastating to the other JPA partners. The JPA issued a statement that conveyed its sincere and continued interest in LVE. It referenced on-going efforts by the partner agencies to develop and finalize key agreements critical to informing agencies' respective business cases as well as address CCWD's concerns.

CCWD's General Manager will be developing an approach to end CCWD's participation. It will include how to archive the work performed on behalf of CCWD and the JPA partners, and engagement with the State to determine if expended funds will need to be returned. BAWSCA will keep the Board updated.

Ms. Sandkulla stated that the current developments of LVE is very telling of the experiences with regional projects and what causes them to work and not work. It was known from the very beginning that the issue with LVE Project was not the technical capability or environmental acceptability, it was the institutional arrangements to provide significant protections to all parties. This development is incredibly unfortunate.

Director Hardy asked what will happen to the State and Federal funds expended, how much has the SFPUC put out, and whether that was charged to the wholesale customer rates. Additionally, it was a shovel-ready project that had been CEQA approved. Would the CEQA approvals stand if the project is resurrected?

In response, Ms. Sandkulla confirmed that the project was shovel-ready with the majority of its designs approved by CEQA. The CEQA approval will continue to be valid provided that the project continues to live within the structure of the CEQA approval.

There has been \$31.5 million spent by all the parties together. BAWSCA was a participant for a few years prior to the formation of the JPA, and spent roughly \$300,000 in the very early years of the project until the Board made a decision not to join the JPA. The SFPUC's cost has been \$4.4 million, of which, 2/3rds is paid by the wholesale customers.

Ms. Sandkulla stated that it can be easy to say that these funds have been wasted, but emphasized that the investment was made to push for the development of a regional project to meet anticipated water supply needs. It is known that not all projects will make it through the long planning process required for water supply projects, and unfortunately, LVE is one of those projects. However, she is interested in what can be salvaged from it to leverage the next project, and what information can be gained as well as what lessons are learned to inform future projects.

She noted her involvement with the Los Vaqueros Reservoir has been through her entire career, starting when she was at EBMUD and Los Vaqueros did not exist. She witnessed the first expansion of the reservoir by CCWD when no other agencies wanted to participate in the project. What comes out of this experience is yet to be discovered.

Director Vella asked Ms. Sandkulla's opinion on the likelihood of the project being revived.

Ms. Sandkulla described that when the first expansion was planned, CCWD very quickly pivoted to doing the project on their own after EBMUD expressed no interest in being a partner. There was a period of no discussion about partnership until the next expansion was planned, in which almost immediately, the State came forward with support. And like most dam projects in California, there is a broad range of potential dam sizes, which can make future projects attractive. It is unknown what the future holds for this project. Ms. Sandkulla did state that the actions of the CCWD Board appear very definitive.

7. **Closed Session:** Committee Chair Hardy reported that there is no need for Closed Session as there are no further updates for the Committee on the Bay Delta Plan and FERC process.

There were no comments from members of the Committee or from the public.

8. **Report from Closed Session:** No reportable report.
9. **Comments by Committee Members:** Director Schneider asked about BAWSCA's current conservation programs that the City of Millbrae should follow up on, and whether BAWSCA know of industry professionals who can help member agencies' residents and businesses with keeping stormwater onsite.

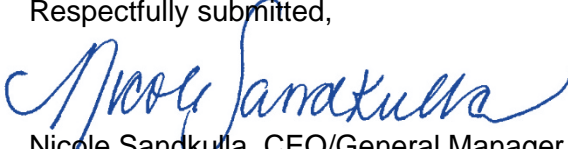
Ms. Sandkulla stated that waterwise landscapes are within the realm of BAWSCA's Landscape Education Program and can look into providing instructors with design experience in that area. She added that the County Stormwater group through C/CAG may serve as another resource.

For conservation programs, member agencies can contact Kyle Ramey for assistance.

There were no further comments from members of the Committee or members of the public.

10. **Adjournment:** The meeting was adjourned at 2:51pm. The next meeting is December 11th in the regularly scheduled location of Burlingame Community Center, Sequoia Room.

Respectfully submitted,



Nicole Sandkulla, CEO/General Manager

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Attachments: 1) Attendance Roster

Bay Area Water Supply and Conservation Agency

Board Policy Committee Meeting Attendance Roster

Agency	Director	Oct. 9, 2024	Aug. 14, 2024	Jun. 12, 2024	Apr. 10, 2024	Feb. 14, 2024	Dec. 13, 2023
Santa Clara	Hardy, Karen (C)	✓	MEETING CANCELLED	✓	✓	✓	✓
Hillsborough	Ragsdale, Leslie (VC)	✓		✓	✓	✓	n/a
Westborough	Chambers, Tom	✓		✓	✓	✓	✓
Menlo Park	Doerr, Maria			✓	✓	✓	✓
CalWater	Duncan, Darin	✓		✓	✓	✓	n/a
Redwood City	Pierce, Barbara	☎		✓	☎	✓	☎
Millbrae	Schneider, Ann	✓		✓	✓	✓	✓
MPWD	Vella, Lou	✓		☎	✓	☎	✓
Stanford	Zigterman, Tom			✓	✓	✓	✓

✓: present

☎: Teleconference

October 9, 2024 Meeting Attendance (*In-Person*)

BAWSCA Staff:

Nicole Sandkulla	CEO/General Manager	Allison Schutte	Legal Counsel, Hanson Bridgett
Tom Francis	Water Resources Manager		
Christina Tang	Finance Manager		
Danielle McPherson	Sr. Water Resources Specialist		
Negin Ashoori	Sr. Water Resources Engineer		
Lourdes Enriquez	Asst. to the CEO/General Manager		
Deborah Grimes	Office Manager		

Public Attendees:

Thomas Smegal