



**LOS VAQUEROS RESERVOIR JOINT POWERS AUTHORITY
MINUTES**

Regular Meeting of the Board of Directors
June 8, 2022 – 9:30 a.m.

CALL TO ORDER at 9:30 a.m.

PLEDGE OF ALLEGIANCE – led by Chair, Angela Ramirez Holmes

ROLL CALL OF DIRECTORS

Angela Ramirez Holmes, Chair, Zone 7 Water Agency
Anthea Hansen, Vice Chair, San Luis & Delta-Mendota Water Authority
Ellen Wehr, Secretary, Grassland Water District
Paul Sethy, Treasurer, Alameda County Water District
John Coleman, Director, East Bay Municipal Utility District
Gary Kremen, Director, Santa Clara Valley Water District
TBD, Director, Contra Costa Water District
TBD, Director – Ex Officio - Department of Water Resources

ALTERNATE DIRECTORS

Jonathan Wunderlich, Alternate Director, Alameda County Water District
*Ernesto Avila, Alternate Director, Contra Costa Water District
Ricardo Ortega, Alternate Director, Grassland Water District
*Steve Ritchie, Alternate Director, San Francisco Public Utilities Commission
Jose Gutierrez, Alternate Director, San Luis & Delta-Mendota Water Authority
Linda J. LeZotte, Alternate Director, Santa Clara Valley Water District
Sandy Figuers, Alternate Director, Zone 7 Water Agency
TBD, Alternate Director – Ex Officio, Department of Water Resources
*Alternate Directors who replaced absent Directors from their member agencies

ABSENT

Dennis Herrera, Director, San Francisco Public Utilities Commission
Lesa McIntosh, Alternate Director, East Bay Municipal Utility District

OTHERS PRESENT

Marguerite Patil, Interim Administrator
James Ciampa, Lagerlof, LLP, Interim General Counsel
Rosemarie Perea, Interim Board Clerk
Diane Schmidt, Lagerlof, LLP
Approximately 18 others

CONSIDER ADOPTION OF RESOLUTION NO. 6-22-01 RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR GAVIN NEWSOM AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE BOARD OF DIRECTORS OF THE LOS VAQUEROS RESERVOIR JOINT POWERS AUTHORITY FOR THE PERIOD FROM JUNE 7, 2022 TO JULY 6, 2022 PURSUANT TO BROWN ACT PROVISIONS.

AB 361 requires that a subsequent resolution be adopted every 30 days to make findings that the emergency conditions justifying such remote meetings continue to exist. Attached Resolution No. 6-22-01 sets forth those required findings, in light of the continued presence of COVID-19 and recent increase in COVID-19 cases, to allow for continued remote teleconferenced Board meetings, including that requiring in-person attendance at meetings of the Board would pose an imminent risk to the health and safety of those in attendance, while ensuring public access to those meetings. The attached resolution is substantially similar to the resolutions the Board previously adopted.

The resolution will take effect immediately and will be effective for 30 days, or until such time as the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Board may continue to meet by teleconference without compliance with Government Code section 54953(b)(3).

After discussion and upon motion by Alternate Director Ritchie, seconded by Secretary Wehr, Resolution No. 6-22-01 was approved by the following roll call vote:

- AYES: Angela Ramirez Holmes, Chair, Zone 7 Water Agency
Anthea Hansen, Vice Chair, San Luis & Delta-Mendota Water Authority
Ellen Wehr, Secretary, Grassland Water District
Paul Sethy, Treasurer, Alameda County Water District
John Coleman, Director, East Bay Municipal Utility District
Gary Kremen, Director, Santa Clara Valley Water District
Ernesto Avila, Alternate Director, Contra Costa Water District
Steve Ritchie, Alternate Director, San Francisco Public Utilities Commission
- NOES: None
- ABSENT: None
- ABSTAIN: None

The motion passed with an 8-0 vote.

PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

CONSENT CALENDAR

Upon motion by Director Coleman, seconded by Treasurer Sethy, the Consent Calendar was approved by the following roll call vote:

- AYES: Angela Ramirez Holmes, Chair, Zone 7 Water Agency
 Anthea Hansen, Vice Chair, San Luis & Delta-Mendota Water Authority
 Ellen Wehr, Secretary, Grassland Water District
 Paul Sethy, Treasurer, Alameda County Water District
 John Coleman, Director, East Bay Municipal Utility District
 Gary Kremen, Director, Santa Clara Valley Water District
 Ernesto Avila, Alternate Director, Contra Costa Water District
 Steve Ritchie, Alternate Director, San Francisco Public Utilities Commission
- NOES: None
- ABSENT: None
- ABSTAIN: None

The motion passed with an 8-0 vote.

The approval of the Consent Calendar included:

- 1.1 - Approval of Minutes from May 11, 2022 Board of Directors Meeting**
- 1.2 - Treasurer’s Report – Month Ended April 30, 2022**

ACTION ITEMS

2.1

Consider adoption of Resolution No. 6-22-02 – Resolution of the Board of Directors of the Los Vaqueros Reservoir Joint Powers Authority Approving Fiscal Year 2022-23 Budget

Interim Administrator Marguerite Patil advised that the Los Vaqueros Reservoir Joint Exercise of Powers Agreement (JPA Agreement) requires that the Board of Directors adopt a budget prior to the start of each Fiscal Year (i.e., by July 1, 2022), to include, at this stage of the Authority’s existence, components to fund the Authority’s administrative and operational costs.

In prior Board of Directors’ meetings, the Board was provided an overview of the Budget development process for a single Fiscal Year Budget for Fiscal Year 2023 (“FY23”, for the period of July 1, 2022 through June 30, 2023). The final version of the FY23 Budget was presented to the Finance Committee at its May 26, 2022 meeting. The Finance Committee approved of that Budget and recommended that the Board of Directors consider adoption of the FY23 Budget in the form presented. The Board of Directors were provided with further details on the FY23 Budget.

Chair Ramirez Holmes requested that the dollar amounts shown on pages 9, 12 and 14 of the Budget document include a reference to “thousands of dollars” and on page 15 that all 12 months be included in the graphic. Treasurer Sethy requested that a stand-alone copy of the FY 23 Budget document be provided to all Members and their boards and staff.

After discussion, upon motion by Treasurer Sethy, seconded by Vice Chair Hansen, the Resolution No. 6-22-02 of the Board of Directors of the Los Vaqueros Reservoir Joint Powers Authority Approving Fiscal Year 2022-23 Budget was adopted by the following roll call vote:

AYES: Angela Ramirez Holmes, Chair, Zone 7 Water Agency
Anthea Hansen, Vice Chair, San Luis & Delta-Mendota Water Authority
Ellen Wehr, Secretary, Grassland Water District
Paul Sethy, Treasurer, Alameda County Water District
John Coleman, Director, East Bay Municipal Utility District
Gary Kremen, Director, Santa Clara Valley Water District
Ernesto Avila, Alternate Director, Contra Costa Water District
Steve Ritchie, Alternate Director, San Francisco Public Utilities Commission

NOES: None
ABSENT: None
ABSTAIN: None

The motion passed with an 8-0 vote.

2.2

Consider adoption of Resolution No. 6-22-03 – Resolution of the Board of Directors of the Los Vaqueros Reservoir Joint Powers Authority Establishing a Reserve Policy

James Ciampa, Interim General Counsel, advised that although the Authority will be funded by the Members on a pass-through basis based on the respective Members' Service Agreements, to ensure adequate monies are on hand to meet the Authority's financial obligations, it would be prudent for the Authority to establish monetary reserves that can be drawn upon if necessary to meet Authority financial obligations and then be subsequently replenished. The Reserve Policy was reviewed and revised by the Finance Committee, which unanimously concurred at its May 26, 2022 meeting to recommend that the Board of Directors consider adoption of the Reserve Policy in the form presented.

Interim General Counsel Ciampa advised there will be minor revisions to the Reserve Policy to reflect a current target of \$0 for the Administrative and Operating Fund Reserve because all budgeted monies are currently considered to be capital. A sentence will be added to the "Reserve Target" provisions for the Capital Project Fund Reserve to reflect that target based on the FY 23 Budget that was approved. Interim Administrator Patil stated that target figure will be \$3.83 million but emphasized that figure is only a target and that amount of reserves is not currently necessary in light of the Project's present status.

Interim Administrator Patil then provided supplemental information in answer to the Board's request for clarification on certain items.

After discussion, upon motion by Alternate Director Avila, seconded by Director Coleman, Resolution No. 6-22-03 of the Board of Directors of the Los Vaqueros Reservoir Joint Powers Authority Establishing a Reserve Policy, with the revisions discussed, was adopted by the following roll call vote:

AYES: Angela Ramirez Holmes, Chair, Zone 7 Water Agency
Anthea Hansen, Vice Chair, San Luis & Delta-Mendota Water Authority
Ellen Wehr, Secretary, Grassland Water District
Paul Sethy, Treasurer, Alameda County Water District
John Coleman, Director, East Bay Municipal Utility District
Ernesto Avila, Alternate Director, Contra Costa Water District
Steve Ritchie, Alternate Director, San Francisco Public Utilities Commission
Linda J. LeZotte, Alternate Director, Santa Clara Valley Water District [voting because Director Kremen temporarily dropped from the meeting]

NOES: None
ABSENT: None
ABSTAIN: None

The motion passed with an 8-0 vote

2.3

Consider Approval of Finance Committee Charter

Interim General Counsel Ciampa presented the draft Finance Committee Charter to the Board. He stated the Authority's Bylaws requires each committee to develop a charter and that the charter is to be provided to and approved by the Board of Directors.

The Finance Committee Charter, as presented to the Board, has been reviewed and revised by the Finance Committee, which recommended it for approval by the Board of Directors. Interim General Counsel Ciampa noted a change was necessary to reflect the preparation of meeting summaries instead of minutes. Chair Ramirez Holmes then noted the word "Los" had been deleted in the title of the document. After discussion, it was suggested by Director Kremen that "draft" be inserted in the third bullet point of the "Scope of Work and Responsibilities", after "Review the Authority's" and before "annual audit."

After discussion, upon motion by Vice Chair Hansen, seconded by Treasurer Sethy, the Finance Committee Charter, with the revisions noted above, was approved by the following roll call vote:

AYES: Angela Ramirez Holmes, Chair, Zone 7 Water Agency
Anthea Hansen, Vice Chair, San Luis & Delta-Mendota Water Authority
Ellen Wehr, Secretary, Grassland Water District
Paul Sethy, Treasurer, Alameda County Water District
John Coleman, Director, East Bay Municipal Utility District
Gary Kremen, Director, Santa Clara Valley Water District
Ernesto Avila, Alternate Director, Contra Costa Water District
Steve Ritchie, Alternate Director, San Francisco Public Utilities Commission

NOES: None
ABSENT: None
ABSTAIN: None

The motion passed with an 8-0 vote

2.4

Consider approval of Operations and Engineering Committee Charter

Interim General Counsel Ciampa then introduced the draft Operations and Engineering Committee Charter for consideration by the Board of Directors. Interim General Counsel Ciampa mentioned the Operations and Engineering Committee recommended the draft Charter for approval by the Board of Directors in the form presented.

One change was suggested to the fourth bullet point of the “Scope of Work and Responsibilities”, to replace “determine” with “recommend” at the end of the second line of that paragraph.

After discussion, upon motion by Director Kremen, seconded by Alternate Director Avila, the Operations and Engineering Committee Charter, with the revision noted above, was approved by the following roll call vote:

AYES: Angela Ramirez Holmes, Chair, Zone 7 Water Agency
Anthea Hansen, Vice Chair, San Luis & Delta-Mendota Water Authority
Ellen Wehr, Secretary, Grassland Water District
Paul Sethy, Treasurer, Alameda County Water District
John Coleman, Director, East Bay Municipal Utility District
Gary Kremen, Director, Santa Clara Valley Water District
Ernesto Avila, Alternate Director, Contra Costa Water District
Steve Ritchie, Alternate Director, San Francisco Public Utilities Commission

NOES: None
ABSENT: None
ABSTAIN: None

The motion passed with an 8-0 vote

DISCUSSION ITEMS

3.1

Program Management Approach

Interim Administrator Patil advised that the JPA Agreement provides that the Board of Directors may engage one or more persons or entities to provide program management services as a Program Manager. Interim Administrator Patil discussed this position and its contemplated roles and advised that a more detailed presentation would occur at the July Board meeting. Feedback was provided by various Directors and Alternate Directors regarding that position, including that the qualifications criteria and selection process be included in the July presentation, that the budget impact be clarified that it is on an annual basis and that the search include a diverse field, including emerging consultants.

3.2

Review of Board Policy and Action Calendar

Interim Administrator Patil reviewed the updated Board Policy and Action Calendar. She noted that this item will in future months include an emphasis on changes made to the calendar from the prior month.

FUTURE AGENDA ITEMS - None.

REPORTS

4.1

Directors - None.

4.2

Interim General Counsel

Interim General Counsel Ciampa advised that he had finally received the initial review of the Authority's draft Conflict of Interest Code from the Fair Political Practices Commission. He has responded to them with the additional information required and made several other changes to reflect the Authority's contemplated contractor staffing. He is awaiting their response and will advise the Board once it is received.

4.3

Interim Administrator

Interim Administrator Patil advised as follows:

1. The application process for the Executive Director position closes on June 17, 2022. She has been working with the recruiter on questions that have come up, including regarding the need for compliance with independent contractor status requirements, and has provided clarification.
2. Increases in water storage project funding to account for recent inflation, including for the Authority's Project, have been included in Governor Newsom's May revise of the state budget. Letters of support to the State Legislature will be sent to encourage the Legislature to accept those increases.
3. Interim Administrator Patil encouraged members of the Board to sign up for Authority website automatic alerts.

4.4

Committee Meeting Summaries


Interim General Counsel Ciampa advised that attached for the Board of Directors' information are the summaries from April 28, 2022 and May 26, 2022 Finance Committee meetings, the April 21, 2022 and May 26, 2022 Operations and Engineering Committee meetings and the April 27, 2022 Communications and Outreach Committee meeting. The Board stated it agreed with Interim General Counsel Ciampa signing those summaries.

The meeting was adjourned at 10:33 a.m.



Angela Ramirez Holmes (Jul 27, 2022 00:19 PDT)
Angela Ramirez Holmes, Chair

ATTEST:



Ellen Wehr (Jul 26, 2022 13:08 PDT)
Ellen Wehr, Secretary