



B A S M A A

Board of Directors Regular Meeting

January 22, 2015
Meeting Minutes

A regular meeting of the Board of Directors of the Bay Area Stormwater Management Agencies Association was held Thursday, January 22, 2015 at the offices of EOA, Inc., Oakland, California. This regular meeting was called by Matt Fabry, 2014 Chair of the Board, with notice of said meeting given to all Directors by electronic mail. The following Officers of the Corporation, Directors, and others were present:

Officers of the Corporation Present	
Matt Fabry	Chair of the Board and Director
Tom Dalziel	Vice-Chair and Director
Jamison Crosby	Treasurer and Director
Terri Fashing	Secretary and Director
Directors Present	
Lance Barnett	Director
Kevin Cullen	Director
Pat Gothard	Director
Jim Scanlin	Director
Officers and Directors Absent	
Adam Olivieri	Director
Staff Present	
Geoff Brosseau	Executive Director
Others Present	
Beth Baldwin	CCCWP
Jill Bicknell	SCVURPPP/EOA, Inc./Dev. Comm. Chair
Dan Cloak	Dan Cloak Consulting / CCCWP
Arleen Feng - phone	ACCWP / Monitoring/POCs Comm. Chair
Jon Konnan	EOA, Inc. / SMCWPPP
Keith Lichten	Regional Water Board
Sandy Mathews	LWA / CCCWP
Peter Schultze-Allen	EOA, Inc. / SMCWPPP
Chris Sommers	Trash Committee Chair / EOA, Inc.
Tim Swillinger - phone	PI/P Committee Chair

Quorum and Call to Order

Call to Order

With 6 of the 9 Directors present at the time, a quorum was established and Chair Matt Fabry called the meeting to order at 10:12 a.m.

Introductions and Announcements (Agenda Item 1). (Matt Fabry) None.

Changes to Agenda (Agenda Item 2). (Matt Fabry)

Remove: Item 7. Approval – Agreements: IPM Focus on Multi-Unit Housing

Remove: Item 19. Update – Regional Monitoring Program (RMP)

Actions

Approval – Election of Directors (Agenda Item 3). (Geoff Brosseau) The Board of Directors was asked to elect Directors to serve for one (1) year or until the next annual meeting of Director(s). BASMAA Bylaws Section 4.04 Election, Designation, and Term of Office of Director(s). states “The Director(s) for the Corporation shall be elected at an annual meeting of the Director(s) by the majority vote of the member(s) of the Board then in office. Each such successor Director shall hold office for one (1) year or until the next annual meeting of Director(s);... No person shall serve as a Director for more than ten (10) consecutive one (1) year terms.”

- ☒ Vote: Director Kevin Cullen made a motion that the Board elects the current Directors to serve for one (1) year or until the next annual meeting of Director(s).

39 Lance Barnett - VSFCD

44 Tom Dalziel - CCCWP

40 Kevin Cullen - FSURMP

45 Adam Olivieri - SCVURPPP

41 Jamison Crosby - NCSPPP

46 Jim Scanlin - ACCWP

42 Matt Fabry - SMCWPPP

47 Pat Gothard - SCWA

43 Terri Fashing - MCSTOPPP

Director Jim Scanlin seconded the motion and the Board approved it unanimously.

Approval – Election of Officers (Agenda Item 4). (Geoff Brosseau) The Board of Directors was asked to elect Officers to serve one (1) year terms. BASMAA Bylaws Section 5.02 Election of Officers. states “The officers of the Corporation, except such officers as may be appointed under Section 5.03 of these Bylaws, shall be chosen annually by the Board of Directors from among the Board members. Officers shall serve one (1) year terms. Officers may serve no more than three (3) consecutive one (1) year terms and may be elected to serve again after a one (1) year break in service. The current BASMAA Officers are:

- Matt Fabry – Chair (2013 –)
- Tom Dalziel – Vice-Chair (2012 – 2014)
- Jamison Crosby – Treasurer (Chief Financial Officer) (2013 –)
- Terri Fashing – Secretary (2013 –)

One of the current Officers has served three consecutive years in his position so his term is ending. Another Director will need to be elected to serve as Vice-Chair.

- ☒ Vote: Director Fabry made a motion that the Board elects Director Scanlin as Vice-Chair for 2015. Director Tom Dalziel seconded the motion and the Board approved it unanimously.

- ☒ Vote: Director Scanlin made a motion that the Board elects Director Fabry as Chair for 2015. Director Dalziel seconded the motion and the Board approved it unanimously.

- ☒ Vote: Director Fabry made a motion that the Board elects Director Jamison Crosby as Treasurer for 2015. Director Dalziel seconded the motion and the Board approved it unanimously.

- 72 ☒ Vote: Director Fabry made a motion that the Board elects Director Terri Fashing as
73 Secretary for 2015. Director Dalziel seconded the motion and the Board approved it
74 unanimously.
75

76 **Approval – Consent Calendar: Board of Directors meeting minutes – December 5, 2014**
77 **and January 6, 2015 (Agenda Item 5).** (Terri Fashing)
78

- 79 ☒ Vote: Director Crosby made a motion pulling the December 5, 2014 meeting minutes from
80 the Consent Calendar. Director Scanlin seconded the motion and the Board approved it
81 unanimously.
82

83 Director Crosby suggested an edit to line 179 of the December 5, 2014 minutes regarding the
84 Pesticides Regulatory Efforts project.
85

- 86 ☒ Vote: Director Cullen made a motion that the Board approves the December 5, 2014
87 meeting minutes as edited. Director Scanlin seconded the motion and the Board approved
88 it unanimously.
89

- 90 ☒ Vote: Director Cullen made a motion that the Board approves the January 6, 2015 meeting
91 minutes as drafted. Director Fashing seconded the motion and the Board approved it
92 unanimously.
93

94 **Executive Session (Agenda Item 6).**
95

96 The BASMAA Board of Directors and staff discussed the following:
97

98 MRP 2.0

- 99 • Consideration of acceptance of funding from BACWA and WSPA to implement mercury
100 risk communication and exposure reduction projects
101 • Comments on LID White Paper
102

103 Personnel

- 104 • Executive Director / Association Management contract
105

106 **Actions (continued)**
107

108 **Approval – Agreement: CW4CB Project Management, PMT and TAC Facilitation, and**
109 **Progress Reports (Agenda Item 8).** (Geoff Brosseau) The Board of Directors was asked to
110 approve an agreement for Clean Watersheds for a Clean Bay (CW4CB) Project Management,
111 Project Management Team (PMT) and Technical Advisory Committee (TAC) Facilitation, and
112 Progress Reports. The purpose of the proposed agreement would be to implement a portion of
113 the CW4CB grant. ACCWP agreed to provide the funds for this as part of their CW4CB match
114 contribution. In its January 14, 2015 CW4CB PMT meeting, the PMT reviewed and approved
115 the scope of work, budget, schedule, and contractor (EOA, Inc.).
116

- 117 ☒ Vote: Director Scanlin made a motion that the Board approves the agreement with EOA,
118 Inc. for CW4CB Project Management, PMT and TAC Facilitation, and Progress Reports
119 (\$62,118). Director Cullen seconded the motion and the Board approved it unanimously.
120

121 **Confirmation – BASMAA Interest–Urban Greening Bay Area (Agenda Item 9).** (Matt
122 Fabry) The Board of Directors was asked to confirm BASMAA’s interest in participating in the
123 Urban Greening Bay Area project should it receive funding. This past summer, BASMAA and a
124 number of its member agencies were partners in a San Francisco Estuary Partnership-led
125 proposal – Urban Greening Bay Area for an EPA San Francisco Water Quality Improvement
126 Fund grant. Unfortunately, although the proposal was ranked in the top eight proposals, that
127 rank was not high enough to be awarded funding this past fall. However, EPA noted that if it
128 receives additional funds by March 11, 2015, it would consider the proposal again.
129

130 In late December SFEP staff alerted the proposal partners that EPA has received its 2016
131 Congressional Authorization and is considering funding Urban Greening Bay Area (and three
132 other proposals submitted for the San Francisco Bay Water Quality Improvement Fund). EPA
133 has \$4.7 million to divide between 4 projects totally \$5.2 million. SFEP staff has been asked to
134 confirm that all project partners are still committed to participating, that the proposed budget still
135 makes sense, and that the funding delay will not hamper the project roll out. The partner
136 municipalities are expected to respond to SFEP directly.
137

138 BASMAA’s portion of the proposal is a total of \$200,000 split evenly between two tasks –
139 Roundtable (\$100,000) and Design Contest (\$100,000) that BASMAA would lead. The
140 Roundtable task is about a 2-year task while the Design Contest is about a 3-year task, although
141 the bulk of the work would be in the first year. A large portion of the potential funding could be
142 provided to sub-contractors to BASMAA. Although specific sub-contractors had not been
143 identified, none of the potential funding was proposed for sub-contracting to municipalities.
144

- 145 ☒ Vote: Director Cullen made a motion that the Board confirms BASMAA’s interest in
146 participating in the Urban Greening Bay Area project should it receive funding. Director
147 Dalziel seconded the motion and the Board approved it unanimously.
148

- 149 ➤ Action: Executive Director Geoff Brosseau will convey to SFEP the Board of Directors
150 confirmation of BASMAA’s interest in participating in the Urban Greening Bay Area
151 project.
152

153 Reports

154
155 **Update – Draft FY 15-16 Unrestricted and Restricted Budgets (Agenda Item 10).** (Geoff
156 Brosseau) The Board of Directors received an update on the start of development of the FY 15-
157 16 unrestricted (e.g., membership dues) and restricted (e.g., grants, specified contributions)
158 budgets. The plan is to issue a call for projects to the committees in their next round of
159 meetings. A compilation of proposed projects will be brought to the Finance Committee for
160 review and recommendation to the Board of Directors.
161

162 **Update – FY 14-15 Unrestricted and Restricted Budgets (Agenda Item 11).** (Geoff Brosseau)
163 The Board of Directors received an update on the status of the FY 14-15 unrestricted and

restricted budgets. The unrestricted budget is in implementation mode and the restricted budget is undergoing the re-balancing discussed with the Board of Directors in December.

Update – Audit Committee (Agenda Item 12). (Matt Fabry) The Board of Directors was asked to receive and discuss an update from the Audit Committee, and provide direction as necessary. The BASMAA Audit Committee has met three times this fiscal year:

- October 3, 2014,
- November, 14, 2014, and
- December 17, 2014;

resulting in recommendations to the Board of Directors to approve financial statements and tax returns for FY 2012-13 and FY 2013-14. The BASMAA Finance Committee is addressing the items raised during the audits that require management responses (see Agenda Item 13). The Audit Committee will meet next around the end of the fiscal year to address the FY 2014-15 audit and tax return.

Update – Finance Committee (Agenda Item 13). (Jamison Crosby) The Board of Directors was asked to receive and discuss an update from the Finance Committee, and provide direction as necessary. The BASMAA Finance Committee has met two times this fiscal year:

- December 18, 2014
- January 20, 2015

The BASMAA Finance Committee is addressing the items raised during the audits that require management responses. To do so in a timely way, the Finance Committee is meeting monthly. Once the items are all addressed, the Committee expects to move to a quarterly meeting schedule with the meetings timed to coincide with significant points in BASMAA's budgeting and work planning processes.

Update – Association Management (Agenda Item 14). (Geoff Brosseau)

- Master RFQ: BASMAA Consultants – In development; RFQ planned for release in February or March.
- Contributions agreement – In consideration. Directors continued to discuss whether such a document is needed to cover both unrestricted (e.g., membership dues) and restricted contributions.

Plan – Process and Schedule for revising FY 14-15 MRP Annual Report forms (Agenda Item 15). (Matt Fabry) MRP provision C.16.b allows for the common annual reporting format, originally submitted by April 1, 2010 to "be changed by April 1 of each year for the following annual report, to more accurately reflect the reporting requirements of Provisions C.1 – C.15, with the agreement of the Permittees and by the approval of the Executive Officer."

- Action: Jill Bicknell and Chris Sommers will review the FY 13-14 form and FY 14-15 reporting requirements, and recommend changes at the February 26, 2015 Board of Directors meeting.

Update – Statewide and National Items (Agenda Item 16). (Geoff Brosseau) The Board of Directors received and discussed updates on the following statewide items:

- Receiving water limitations (State Water Board) – The State Water Board hosted a Workshop on December 16 in Los Angeles on its draft Order in response to the petitions to the Los Angeles MS4 permit. The petition process is being used as the process by which to address the receiving water limitations language in MS4 permits. Written comments were due yesterday, January 21. BASMAA participated in the development of CASQA’s comments, which were provided as testimony at the Workshop and as written comments.
- Trash Amendments (State Water Board) – The Draft Amendments and Staff Report were released December 31, 2014 with no written comment period. Release of the Response to the August 5, 2014 Comments is scheduled for the end of January. The rest of the latest schedule: State Water Board Hearing – March; through OAL – by 20 days after adoption; to EPA.
- Proposition 218 constitutional amendment legislation – An informal coalition of environmental groups, government and business associations, and agencies is continuing to explore sponsoring legislation to clarify Proposition 218 regarding stormwater and likely flood management. Executive Director Brosseau has been participating in the coalition on behalf of CASQA.

Discussion – Collaboration with Regional Water Board (Agenda Item 17). (Board / Keith Lichten) The Board of Directors and Regional Water Board staff Keith Lichten discussed the following items:

- MRP 1.0: C.10-Trash provision implementation – The Regional Water Board will be conducting another Trash Workshop on February 11, this time focused on trash derived from conveyances and sources other than the MS4s. The February 11 Workshop is a companion to the December 10 MS4 Workshop that focused on MS4-derived trash.
- MRP 2.0 status and schedule – The administrative draft is planned for release by February 5 – the next Steering Committee meeting. Directors and staff discussed scheduling a series of provision-based work group meetings on the administrative draft in late February to early March.

Update / Direction – Committee Reports / BASMAA representatives (Agenda Item 18). (Committee Chairs) The Board of Directors received committee reports and discussed next steps.

- **Development Committee** (Jill Bicknell) – The Committee met January 8 – see Committee meeting summary for details on items not covered elsewhere in this Board of Directors meeting minutes. Committee Chair Bicknell noted the Committee’s continued focus on providing and reviewing information for MRP 2.0.
- **Monitoring / POCs Committee (MPC)** (Arleen Feng) – The Committee has not met since the last Board of Directors meeting. Committee Chair Arleen Feng noted the focus of the Committee continues to be identifying approaches to MRP 2.0 language for MRP 1.0 provisions C.8.c Creek Status, C.8.e POC Loads, and C.11/12 POCs – in particular PCBs as they relate to GI and a POC monitoring framework from Regional Water Board staff.

- **Municipal Operations Committee** (Geoff Brosseau) – The Committee has not met since the last Board of Directors meeting. Work is focused on the identification of required tasks and their costs for the Enhanced Mobile Cleaners project.
- **Phase II Committee** (Terri Fashing) – The Committee met December 9 – see Committee meeting summary for details on items not covered elsewhere in this Board of Directors meeting minutes. Committee Chair Fashing highlighted developments regarding the Program Effectiveness Assessment Implementation Plan (PEAIP).
- **Public Information / Participation Committee** (Tim Swillinger) – The Committee has not met since the last Board of Directors meeting. Committee Chair Tim Swillinger highlighted developments regarding *Be the Street*, Regional Media Relations and social media, and *Our Water, Our World*.
- **Trash Committee** (Chris Sommers) – The Committee has not met since the last Board of Directors meeting and/or Committee topics are covered elsewhere in these minutes.

Information Items. None.

Next Meeting of the Board of Directors. The next meeting of the Board of Directors is scheduled to be held on February 26, 2015, at the offices of EOA, Inc., Oakland, California. Directors will be notified of this meeting via e-mail.

Adjournment. The meeting was adjourned at 3:34 p.m.

Terri Fashing



Secretary, BASMAA

Approved: February 26, 2015 ###