

**Board of Directors Meeting**  
**Aquatic Science Center and San Francisco Estuary Institute**  
**May 2, 2023 - Time: 10:00 am – 12:00 pm**

Contact Anna de Lopez to join meeting: [annadl@sfei.org](mailto:annadl@sfei.org).

**AGENDA (DRAFT)**

**Joint Business**

<b>1.</b>	<b>Call to Order &amp; Approval of Remote Meeting Resolution</b>	10:00 am Skyli McAfee
<b>2.</b>	<b>Public Comment</b>	10:05 am Skyli McAfee
<b>3.</b>	<b>Action: Consent Items</b> <i>Attachment #1 – SFEI-ASC Board Minutes - January 24, 2023 – Page</i> <b>Desired Outcome:</b> Approval of January 24, 2023 Minutes	10:10 Warner Chabot
<b>4.</b>	<b>Executive Directors Report</b> <i>Attachment #2 – Executive Director’s Report – Page</i> <b>Desired Outcome:</b> Update to the Board on recent SFEI activities	10:15 am Warner Chabot
<b>5.</b>	<b>Vote on SFEI Officers</b> <i>Attachment #3 – Election of SFEI-ASC Officers – Page</i> <b>Desired Outcome:</b> Vote of SFEI-ASC Officers	10:20 am Warner Chabot
<b>6</b>	<b>Report on FY21-22 Audit</b> <i>Attachments #4 – FY21-22 Completed Audit – Page</i> <b>Desired Outcome:</b> Board review and approval of the FY21-22 audit	10:25 am Patrick Walsh Janice Chiu
<b>7.</b>	<b>Financial Report</b> <i>Attachment #5 – FY23 Financial Report – Page</i> <b>Desired Outcome:</b> Discussion of Financial Report	10:30 am Warner Chabot Jen Trudeau
<b>8.</b>	<b>Discussion of SFEI Banking Transition</b> <i>Attachment #6 – SFEI Banking Transition – Page</i> <b>Desired Outcome:</b> Information update to the Board	10:40 am Warner Chabot Jen Trudeau
<b>9.</b>	<b>Discussion of SFEI Office Planning</b> <i>Attachment #7 – SFEI Office Transition – Page</i> <b>Desired Outcome:</b> Board input and advice of SFEI office options	10:50 am Warner Chabot Jen Trudeau
<b>10.</b>	<b>SFEI Development Presentation</b> <i>Attachment #8 – Development Report – Page</i> <b>Desired Outcome –</b> Board input and advice of Development options	11:00 am Warner Chabot
<b>11.</b>	<b>Schedule Performance Review of Executive Director (ED)</b> <i>Attachment #9 – Executive Director Performance Review</i> <b>Desired Outcome –</b> Discussion of ED Performance Review Process	11:15 am Warner Chabot Skyli McAfee
	<b>Adjourn Joint Business Meeting and Call SFEI Meeting to Order</b>	11:20 am

***San Francisco Estuary Institute Business Meeting***

<b>SFEI 1.</b>	<b>FY23 Q3 SFEI Program Plan Update</b> <i>Attachment #10 – FY23 Q3 SFEI Program Plan Update – Page</i> <b>Desired Outcome:</b> Approve FY23 Q3 SFEI Program Plan Update	11:20 am Warner Chabot Patrick Walsh
	<b>Adjourn SFEI Meeting and Call ASC Meeting to Order</b>	11:35 am

***Aquatic Science Center Business Meeting***

<b>ASC 2.</b>	<b>FY23 Q2 ASC Program Plan Update</b> <i>Attachment #11 – FY23 Q3 ASC Program Plan Update – Page</i> <b>Desired Outcome:</b> Approve FY23 Q3 ASC Program Plan Update	11:35 am Warner Chabot Patrick Walsh
	<b>Adjourn ASC Meeting</b>	12:00 pm

**Proposed Upcoming Board Meetings**

June 23, 2023  
September 22, 2023  
January 26, 2024  
April 26, 2024  
Time: 10:00am – 12:00pm

## RESOLUTION AUTHORIZING REMOTE TELECONFERENCE MEETINGS PURSUANT TO AB 361

WHEREAS, all San Francisco Estuary Institute (SFEI) and Aquatic Science Center (ASC) Board meetings are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the SFEI and ASC board conduct its business; and

WHEREAS, on March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for an anticipated broader spread of the novel coronavirus disease 2019 (“COVID-19”); and

WHEREAS, On March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow local legislative bodies to conduct meetings telephonically or by other means; and

WHEREAS, as a result of Executive Order N-29-20, staff set up virtual meetings for all SFEI-ASC Board meetings; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21, which, effective September 30, 2021, repealed the provisions of Executive Order N29-20 that allowed local legislative bodies to conduct meetings telephonically or by other means; and

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 (2021), which allows for local legislative bodies and advisory bodies to continue to conduct meetings via teleconferencing under specified conditions and includes a requirement that the SFEI-ASC Board make specified findings. AB 361 (2021) took effect immediately; and

WHEREAS, in order for [legislative](#) bodies to continue to conduct meetings via teleconferencing pursuant to AB 361 (2021), a proclaimed State of Emergency must exist; and

WHEREAS, AB 361 (2021) further requires that State or local officials have imposed or recommended measures to promote social distancing, or, requires that the legislative body determines that meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist in SFEI-ASC’s jurisdiction, specifically, Governor Newsom has declared a State of Emergency due to COVID-19; and

WHEREAS, the Centers for Disease Control and Prevention (“CDC”) continues to recommend physical distancing of at least 6 feet from others outside the household; and

WHEREAS, local county health jurisdictions continue to recommend physical and social distancing as a COVID-19 mitigation strategy and WHEREAS, because of the prevalence of highly contagious variants of COVID-19, the SFEI-ASC Board is concerned about the health and safety of all individuals who intend to attend SFEI-ASC Board and Committee meetings; and

WHEREAS, the SFEI-ASC Board desires to provide a way for the Executive Board, staff, and members of the public to participate in meetings remotely, without having to attend meetings in person; and

WHEREAS, the SFEI-ASC Board hereby finds that the presence of COVID-19 and the prevalence of cases due to the Omicron variant would present imminent risks to the health or safety of attendees, including the SFEI-ASC Board and staff, should the SFEI-ASC Board hold in person meetings; and

WHEREAS, the SFEI-ASC Board shall ensure that its meetings comply with the provisions required by AB 361 (2021) for holding teleconferenced meetings.

NOW, THEREFORE, BE IT RESOLVED that the SFEI-ASC Board hereby declares as follows:

1. The above recitals are true and correct, and incorporated into this Resolution.
2. In compliance with AB 361 (2021), and in order to continue to conduct teleconference meetings without complying with the usual teleconference meeting requirements of the Brown Act, the SFEI-ASC Board makes the following findings:
  - a. The SFEI-ASC Board has considered the circumstances of the State of Emergency; and
  - b. The State of Emergency, as declared by the Governor, continues to directly impact the ability of the SFEI-ASC Board, as well as staff and members of the public, from meeting safely in person; and
  - c. The CDC continues to recommend physical distancing of at least six feet due to COVID-19 and as a result of the presence of highly contagious variants of COVID-19, meeting in person would present imminent risks to the health or safety of attendees, the legislative bodies and staff.
3. The SFEI-ASC Board may continue to meet remotely in compliance with AB 361, in order to better ensure the health and safety of the public.
4. The SFEI-ASC Board will revisit the need to conduct meetings remotely within thirty (30) days of the adoption of this resolution.

PASSED AND ADOPTED THIS 2nd DAY OF MAY 2023.

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Skyli McAfee - Chair of the SFEI-ASC Board

ATTEST:

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Warner Chabot  
Executive Director, San Francisco Estuary Institute and Aquatic Science Center