



SAN FRANCISQUITO CREEK
JOINT POWERS AUTHORITY
SFCJPA.ORG

**Notice of Regular Meeting of the
BOARD OF DIRECTORS
City of East Palo Alto Council Chambers
2415 University Avenue, East Palo Alto, California
February 25, 2016 at 4:00 p.m.**

AGENDA

- 1) ROLL CALL
- 2) APPROVAL OF AGENDA
- 3) APPROVAL OF MEETING MINUTES – January 28, 2016 Board meeting
- 4) PUBLIC COMMENT – *Individuals may speak on any topic for up to three minutes; during any other Agenda item, individuals may speak for up to three minutes on the subject of that item.*
- 5) REGULAR BUSINESS – Executive Director’s Report
 - a) Board Organization: select officer positions and membership on committees
 - b) S.F. Bay-Highway 101 project construction planning
 - c) Discuss the Fiscal Year 2016-17 Operating Budget
- 6) ADJOURNMENT

PLEASE NOTE: This Board meeting Agenda can be viewed online by 4:00 p.m. on February 22, 2016 at sfcjpa.org -- click on the “Meetings” tab near the top. Supporting documents related to the Agenda items listed above will be available at the same online location by 11:00 a.m. on February 24, 2016.

NEXT MEETING: Regular Board meeting, March 24, 2016 at 4:00 p.m., Palo Alto City Council Chambers.

San Francisquito Creek Joint Powers Authority
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Chairperson Keith called the meeting to order at 4:05 p.m. at the City of Menlo Park, City Council Chambers, Menlo Park, CA.

DRAFT

1) ROLL CALL

Members Present: Director Keith, City of Menlo Park
Director Abrica, City of East Palo Alto
Director Burt, City of Palo Alto
Director Kremen, Santa Clara Valley Water District

Members Absent: Director Pine, San Mateo County Flood Control District

JPA Staff Present: Len Materman, Executive Director
Kevin Murray, Staff
Miyko Harris-Parker, Staff

Legal Present: Greg Stepanich

Others Present: Gerry Andeen, Menlo Park resident; Jerry Hearn, Portola Valley resident; Dennis Parker, East Palo Alto resident; Brian Schmidt, Mountain View resident; Joe Teresi, City of Palo Alto; Azalea Mitch, City of Menlo Park, Bill Springer, Santa Clara Valley Water District; Eileen McLaughlin, Citizens Committee to Complete the Refuge (CCCR); Mark Chow, San Mateo County Flood Control District

2) APPROVAL OF AGENDA

Director Burt made a motion to approve the agenda. Director Kremen seconded. Agenda approved 4-0. Director Pine not present. Director Burt motioned to amend the Agenda to continue Agenda Item 5a regarding Board Organization to the February 25, 2016 meeting of the Board as all members of the Board were not present. Director Kremen seconded. Motion to amend agenda and continue agenda item 5a to the February 25, 2016 meeting of the Board approved 4-0. Director Pine not present.

3) APPROVAL OF MEETING MINUTES - November 19, 2015 and December 17, 2015 Board Meetings

Director Burt made a motion to approve the November 19, 2015 Board meeting minutes. Director Abrica seconded. Motion to approve the November 19, 2015 Board meeting minutes approved 3-0. Director Kremen abstained. Director Pine not present. Director Kremen made a motion to approve the December 17, 2015 Board meeting minutes. Director Abrica seconded. Motion to approve the December 17, 2015 Board meeting minutes approved 4-0. Director Pine not present.

4) PUBLIC COMMENT

Gerry Andeen, former Mayor and current resident of Menlo Park, spoke to the Board about his concerns regarding creek flow, specifically in regards to the potential to detain water upstream and concerns over the Atherton channel.

5) REGULAR BUSINESS

Board Organization: select officer positions and membership on committees
Continued to next Board meeting.

Review the Fiscal Year 2015-16 Operating Budget mid-year
Mr. Materman provided the Board with the Fiscal Year 2015-2016 mid-year review along the lines of the text of the Executive Director's Report.

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Resolution 16.1.28 of the SFCJPA Board of Directors, approving the First Amendment to the Employment Agreement with the Executive Director and amending the Salary Schedule

Greg Stepanicich presented Resolution 16.1.28; the First Amendment to the Employment Agreement with the Executive Director and amending the Salary Schedule for approval. Chairperson Keith thanked Mr. Materman for his work with JPA. Director Abrica made a motion to approve Resolution 16.1.28, the First Amendment to the Employment Agreement with the Executive Director and amending the Salary Schedule. Director Burt seconded. Motion to approve Resolution 16.1.28, the First Amendment to the Employment Agreement with the Executive Director and amending the Salary Schedule approved unanimously 4-0. Director Pine not present.

Reducing flood risk and improving emergency response coordination this winter

Mr. Materman provided the Board with an update on the work done by the SFCJPA and its member agencies in terms of winter storm preparations. Mr. Materman also provided the Board with an overview of updates made to the Flood Early Warning System, highlighting the process by which data alerts are reviewed by agency admin users before being sent to the general public. Mr. Materman shared a list of Red Cross shelters near San Francisquito as requested at the December 2015 meeting of the Board. Chairperson Keith asked that the list be put on the SFCJPA website.

Dennis Parker, East Palo Alto resident, gave his thanks for the work that has been completed to protect all of the communities affected by flooding. Mr. Parker voiced his concern that people are believing that the threat of flooding is over and he suggested that the JPA get the word out to remind people that the threat is not over.

Jim Wiley, Menlo Park resident, spoke to the Board about his concerns of a breach in the Searsville Dam and asked that the SFCJPA look into providing a public alert should that happen. Mr. Wiley asked for information regarding the permits issued for the work completed by the City of East Palo Alto on its side of the creek. Joe Teresi, City of Palo Alto, briefly explained that East Palo Alto staff conveyed to him that the work done on the wooden floodwall was erected to match the other barrier that was already in place and that when the wall was constructed it was done with the intention to be the same height as the Palo Alto side. Mr. Teresi noted that when speaking with staff from the City of East Palo Alto, they committed to sending some of their maintenance crewmembers to help the Palo Alto maintenance crewmembers add sandbags to the Palo Alto side to equal the level of protection.

Chairperson Keith asked staff to update the Board on the status of the East Palo Alto temporary project permits at the next meeting of the Board.

Brian Schmidt, Mountain View resident, asked if there was a contingency plan in place to cover the possibility of a gap in human attention to the Early Warning System during a major storm. Mr. Teresi clarified that there are four administrators who each receive alerts and who are constantly tuned in during significant events.

Director Kremen asked that staff provide a future update to the Board on the measures in place regarding the safety of Stanford's Searsville Dam.

S.F. Bay-Highway 101 project construction planning

Mr. Materman provided an update on the S.F. Bay-Highway 101 project construction planning, highlighting the BCDC public presentation and hearing coming up on February 18, 2016.

6) ADJOURNMENT

Chairperson Keith adjourned the meeting at 5:10 pm

Minutes Prepared by Clerk of the Board: Miyko Harris-Parker.

San Francisquito Creek Joint Powers Authority
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Agenda Item 5
Executive Director's Report

With the help of Kevin Murray and Miyko Harris-Parker, I am pleased to submit the following:

a. Board Organization: select officer positions and membership on committees

Early in each calendar year, the Board appoints individual Board members to fill officer positions and positions on Board committees. The position of Chair and Vice Chair has historically been a two-year term. In January 2014, Kirsten Keith took over as Chair, and in January 2015 Dave Pine began serving as Vice Chair. Board service on committees has been a one-year renewable term, and thus committee assignments should now be reaffirmed or changed. In 2015, committee membership was as follows:

Committee and membership

Finance: Kirsten Keith and Dave Pine

Personnel: Pat Burt and Ruben Abrica

Emergency Preparedness: Ruben Abrica and Gary Kremen

Purposes, Roles and Responsibilities: Full Board

The role of the Finance Committee is to hear, comment on, and then present to the full Board the annual operating budget, and changes to that budget, and the audit. The Personnel Committee initiates, and acts as the SFCJPA representatives for, the review of the Executive Director. The role of the Emergency Preparedness Committee is to provide direction on this issue and bring related items to the full Board. The Purposes, Roles and Responsibilities Committee recommends changes to the agency's founding Joint Powers Agreement.

Finally, the Association of California Water Agencies Joint Powers Insurance Authority, which provides benefits to SFCJPA employees, requires that the SFCJPA Board appoint a representative to the ACWA/JPIA Board. In 2015, SFCJPA Alternate Director Nai Hsueh served as the SFCJPA (and Santa Clara Valley Water District (SCVWD)) representative to the ACWA/JPIA. The SFCJPA alternate to the ACWA/JPIA in 2015 was Finance and Administration Manager Miyko Harris-Parker.

Proposed Board action: Vote to select a Chair, Vice Chair, membership on Board committees, and a representative to the ACWA/JPIA.

b. S.F. Bay-Highway 101 Project construction planning

At Board meetings for the past few years we have discussed our efforts to prepare for construction of a project that will improve public safety and recreation, and increase marsh habitat, between S.F. Bay and Highway 101. At this Board meeting, we will provide an update on our efforts, conducted with substantial assistance from SCVWD staff, since the last Board meeting on January 28.

At the January meeting, I reported that the National Marine Fisheries Service completed its Biological Opinion, but that we were discussing its recommended mitigation. Since then, NMFS agreed with our assertion that the project already mitigates impacts to fish habitat, which finalizes that Biological Opinion. On February 9 the California Department of Fish and Wildlife issued its final permit. On February 18, the Bay Conservation and Development Commission (BCDC) unanimously voted to approve its permit and the Don Edwards S.F. Bay National Wildlife Refuge provided us with a Special Use Permit for the Faber Marsh. On February 23, I signed the BCDC and the Corps of Engineers permits in San Francisco, thus completing the 35-month long process to secure state and federal regulatory permits for this project. At this Board meeting, I intend to summarize the upcoming issues related to these permits.

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Also on February 23rd, we reached the additional project milestone of the SCVWD Board of Directors authorizing the advertisement for bids for the project's primary construction contract (the SCVWD is managing construction on behalf of the SFCJPA). The advertisement for bids will occur this week, and bids are scheduled to be opened on April 13.

When bids are opened, we will have a much better idea of the actual cost of the primary construction contract. SFCJPA and member agency staff are looking at the known and (as of yet) unknown project costs in relation to the construction and mitigation funding agreement that was finalized in June 2014. I will present to the Board the progress of these conversations at an upcoming meeting.

At this Board meeting, we will discuss the anticipated schedule of activities as we move towards the planned onset of construction in June.

c. Discuss the Fiscal Year 2016-17 Operating Budget

Last month's Board meeting included an item that gave Board members an overview of the SFCJPA's budget picture at the halfway point of the current 2015-16 Fiscal Year (FY). No amendment was proposed to the annual budget, which is anticipated to have a small surplus at its conclusion on June 30, 2016.

We have begun to develop the budget for FY 2016-17, and at this Board meeting I intend to discuss a few key elements of that budget. Perhaps the most important consideration for our member agencies is the amount of the annual contribution they make towards the SFCJPA operating budget. For the current fiscal year, that amount was \$152,000 per agency, and I do not intend to request a change to that amount for the next fiscal year. By utilizing this member agency contribution, as well as grant administration funds that we have delayed accessing, I plan to propose an FY 2016-17 operating budget that is balanced. Within that budget are three operating expense items that I plan to propose, and will highlight at this Board meeting:

- A full year's salary of the new SFCJPA project manager, who will take up some of the duties of our part-time grant finance administrator.
- The next phase of an increase to the salary and CalPERS contribution rate of our Senior Project Manager and Finance and Administration Manager. This will bring their salaries and share of retirement contributions more closely in line with positions at SFCJPA member agencies and at a level commensurate with their responsibilities and value to our agency.
- A new contract with the law firm of Richards Watson Gershon, which provides general counsel and specialized legal services for the SFCJPA. This contract would increase the firm's billing rate for the first time since it was hired by the SFCJPA in 2001. The billing rate now charged by the firm is up to 25% lower than the rates they charge other public agencies, including SFCJPA member agencies.

Following a discussion of the FY 2016-17 Operating Budget at this Board meeting, I intend to bring a budget for approval at the first Board meeting following a meeting of the Finance Committee, which we are trying to schedule at this time. By the end of April, we must approve the operating budget and send it to our member agencies so they can incorporate the annual contribution into their budget process.

Submitted by:



Len Materman
Executive Director