

**MINUTES**  
**SAN FRANCISQUITO CREEK**  
**JOINT POWERS AUTHORITY BOARD**  
**20 November 2003**

Chairperson Bay called the meeting to order at 6:06 p.m. at the City of East Palo Alto, Council Chambers, 2415 University Avenue, East Palo Alto, California

**1. Roll Call**

Members Present: Director Bay, City of East Palo Alto  
Director Duboc, City of Menlo Park-Alternate  
Director Mossar, City of Palo Alto  
Director Zlotnick, Santa Clara Valley Water District

Members Absent: Director Jacobs Gibson, San Mateo County Flood Control District  
Director Kinney, City of Menlo Park

Associate Members Present: Phil Chang, Watershed Council  
Michael Fox, Stanford University

Associate Members Absent: None

JPA Staff Present: Cynthia D'Agosta, Executive Director  
Andrew Kloak, Staff  
Kevin Murray, Staff

Others Present: Beau Goldie (SCVWD); Dianne Dryer, Ruben Nino (City of Menlo Park); Joe Teresi, Phil Bobel (City of Palo Alto); Ann Stillman (San Mateo County Flood Control District); Donna Rutherford (City of East Palo Alto-Mayor); John Schaefer (Palo Alto Resident); Jeff Shore (Duveneck Saint Francis Neighborhood Assn.); Art Kramer (PA Resident); Xenia Hammer (Crescent Park Neighborhood Association); Vivian Blomenkamp (Palo Alto Resident-League of Women Voters)

**2. CLOSED SESSION- None**

**3. APPROVAL OF THE October 23 & November 12, 2003 ANNUAL MEETING MINUTES**

Board members considered approval of the minutes from the last two JPA Board Meetings. Director Mossar moved approval of the minutes, Director Zlotnick seconded, and approved 3-0-1. Director Duboc abstained.

**4. APPROVAL OF AGENDA**

Board members considered approval of the agenda of the meeting. Director Mossar moved approval of the agenda, Director Duboc seconded, and approved 4-0.

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**5. CONSENT CALENDAR** - None

**6. PUBLIC COMMENT**

None

**7. REGULAR BUSINESS**

**A. Director's Update-COE projects; Grant Support Fund; Finance Committee; CALPERS**

Ms. D'Agosta stated the CAP initial assessment to determine federal interest was underway. She said this phase one review performed by the COE-San Francisco District was on target for completion by March 2004. She stated phase two, focusing on the project's feasibility, could begin as early as March with a projected time of completion to be December 2004.

Ms. D'Agosta stated the JPA webpage would carry updates on the COE CAP projects in 2004.

Director Zlotnick said full Congressional approval by both the House and Senate of the federal budget was soon to occur. He said the JPA likely had two federal projects on their hands soon with the GI Recon and the CAP. He said he would like to see staff bring back a more comprehensive federal funding schedule by January.

Director Mossar asked if there were plans to have a public process for the first phase of the CAP project.

Ms. D'Agosta said updates on the JPA website about the CAP project were being planned to inform the public.

Ms. D'Agosta reported she had met with all the Member Agency CEO's and some of their Finance staff to encourage their involvement in the Finance Committee. She stated that they were receptive and the committee would likely meet for their first meeting in January.

**B. Contract with Financial Officer (*Approval*)**

Ms. D'Agosta stated she wanted to have a financial officer to assist the JPA on a limited basis. She said the action for the Board to consider was to approve the agreement for financial and accounting services with Mr. Kevin Harper, CPA.

Ms. D'Agosta said Mr. Harper was being retained to work on policy level issues for the JPA. She said she planned to strategize with him on the most effective use of the Finance Committee.

Director Zlotnick asked what role the Finance Committee had in determining the function of the Finance Officer.

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Ms. D'Agosta said that had not been determined yet.

Director Mossar said she understood that Mr. Harper's services were limited to what was outlined in the bullet points in the staff report for this item. She said the wording for the scope of work in the staff report did not match what was listed in Exhibit A. She said the wording between the two should be the same in the future.

The Board considered approval of the contract with the Financial Officer. Director Zlotnick moved the recommendation to approve the contract, Director Mossar seconded, and approved 4-0.

**C. Chair-Treasurer-Secretary Appointments- (*Approval*)**

Ms. D'Agosta stated appointments for three Board officers needed to be reconsidered. She asked for nominations for appointments.

Chairperson Bay requested discussion for this item be divided into three parts following in this order: 1.) Treasurer 2.) Chairperson 3.) Vice Chair/Secretary.

**Treasurer**

Director Zlotnick said he understood that the primary reason for the Treasurer was to perform an independent review of agency bank reconciliation's. He asked if a non-Board member could perform this function.

Mr. Stepanicich, JPA legal counsel, said a Board member didn't have to occupy this position but someone from the member agencies did.

Director Zlotnick said this was a position that could be decided upon by the Finance Committee. He said the Treasurer could come from member agency staff on the committee.

The board considered having the Finance Committee staff perform the Treasurer function on a one-year basis. Director Mossar moved the recommendation to have Finance Committee staff act as Treasurer, seconded by Director Duboc, and approved 4-0.

**Chairperson**

Director Mossar nominated Chairperson Bay to serve as the chairperson of the JPA for a term of two years.

Director Bay said he was up for reelection in a year but he would accept the nomination.

No further nominations came in. Nominations were closed at this point.

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The board considered appointing Chairperson Bay to a two-year period in this role. Director Mossar moved appointing Director Bay as chairperson of the JPA, Director Duboc seconded, and approved 4-0.

**Vice Chair/Secretary**

The board considered reappointment of Director Zlotnick for an additional one-year term as Vice Chair/Secretary. Director Duboc moved reappointment of Director Zlotnick as Vice Chair/Secretary, Director Mossar seconded, and approved 4-0.

**D. Report on Annual Maintenance Walk and Winter Preparedness Actions**

Mr. Murray said the annual maintenance walk that took place on September 12<sup>th</sup> went well. He said that all winter preparedness actions as a result of this walk had been completed.

Director Mossar said this report should have been presented to the board sooner. She said the board needed to formalize these actions and asked that it be done in a more timely fashion next year. She said the council and board members of all the member agencies needed to be informed of these kinds of JPA activities as well.

Director Zlotnick said a matrix was referenced in the staff report but not included. He said, in the future, the matrix should be put together under the JPA logo that lists the actions of the member agencies as a result of the maintenance walk.

**E. WMI Signatory Agreement**

Ms. D'Agosta said Phil Bobel would give a presentation on the Watershed Management Initiative (WMI) Signatory Agreement.

Mr. Bobel, an employee of the City of Palo Alto, said he was a member of WMI, a group that had developed a basin-wide action plan. He said WMI had taken on the role to come up with this plan for the Santa Clara Basin watersheds that drain into the Bay. He said WMI was an umbrella group with no legal powers.

Mr. Bobel said the JPA and a host of other groups signed on to the WMI agreement in the last several years. He said a new signatory document was being offered for consideration for the implementation of the WMI action plan.

Director Mossar asked what the action plan was and what in particular the JPA would be signing on for.

Mr. Bobel said this was a broad watershed document that included an action plan with eight objectives. He said signing this would not mean spending money or depleting staff time.

Director Mossar asked what were the benefits of signing this WMI agreement.

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Mr. Bobel said one clear benefit was these watershed communities would display a unified front, which would increase the chances of receiving federal and state monies for area planning and capital improvement projects.

Director Mossar said this is certainly the case in Bay area for regional planning/projects for transportation.

Mr. Bobel said there would be no parallel WMI-JPA activities in the San Francisquito Sub-Basin. He said detailed planning would be consistent with the goals of the JPA.

Director Zlotnick said the JPA signed an earlier WMI agreement in 2001. He said he didn't understand why the JPA wouldn't sign this agreement.

Ms. D'Agosta stated that she put this item on the agenda to gauge the board's interest in the WMI in general and the agreement in specific. She said her hesitancy was that staff had not reviewed the plan yet. She said the document called for the implementation of the WMI action plan and asked what meant by implementation.

Director Zlotnick said this should be researched by staff and brought back to the board at the January meeting.

Director Duboc said she noticed that the WMI zone of coverage reached into portions of Alameda County and asked Mr. Bobel if Alameda County officials were contacted to sign the agreement.

Mr. Bobel said no, not yet but they should be talked with soon.

Director Duboc concurred with Director Zlotnick about having this item brought back and presented to the Board in a succinct way.

Director Mossar said the watersheds on the map in the brochure needed to be made more definitive. She asked why some parts of San Mateo County are included, while others are not.

The board considered bringing this item back for discussion at the January 22, 2004 Board meeting. Director Mossar moved having the item agendaized for the January meeting, seconded by Director Duboc, and approved 4-0.

**F. December Draft Agenda**

Ms. D'Agosta stated that regular items and study session items would be on the proposed December meeting agenda. She said that the Creek Authority News (CAN) wouldn't come out in December but, instead, come out in January.

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**8. BOARD AND ASSOCIATE MEMBER REPORTS**

**A. Watershed Council Year-End Report**

Mr. Chang gave a report on the Watershed Council's Annual Report on work from July 1, 2002 to June 30, 2003.

Director Zlotnick said the Watershed Council's recent 10th year anniversary was a fitting celebration event.

Chairperson Bay said the Watershed Council was a great source of support to the JPA and said Mr. Chang should take more credit for it.

The Board considered accepting the report by the watershed Council. Director Zlotnick moved approval of the item, Director Mossar seconded, and approved 4-0.

**9. BOARD AND ASSOCIATE MEMBER MATTERS**

Mr. Chang announced he was going to step down as coordinator of the Watershed Council in January 2004.

Mr. Beau Goldie said the SCVWD had done some restructuring. He said Jennie Micko had retired and he has been put into her place. He said he had 19 years experience with SCVWD.

Director Zlotnick requested the JPA send letters of thanks to President Bush, Senators Feinstein and Boxer, and Jennie Micko before the next Board Meeting.

**10. ADJOURNMENT**

Chairperson Bay adjourned the meeting at 7:16 p.m.

**Minutes prepared by:**

Andrew M. Kloak  
San Francisquito Creek Joint Powers Authority