

**March 27, 2008 Special Meeting Minutes
San Francisquito Creek
Joint Powers Authority**

Chairperson Robinson called the meeting to order at 4:16 p.m. at the City of Menlo Park Council Chambers, 701 Laurel Street, Menlo Park CA.

1) ROLL CALL

Members Present: Chairperson Robinson, City of Menlo Park
Director Drekmeier, City of Palo Alto

Alternates Present: Director Estremera, Santa Clara Valley Water District (not present at role call)
Director Jacobs Gibson, San Mateo County Flood Control District

Members Absent: Director Gordon, San Mateo County Flood Control District
Director Kwok, Santa Clara Valley Water District (SCVWD)
Director Abrica, City of East Palo Alto

Associate Members: None

JPA Staff Present: Cynthia D'Agosta, Executive Director (ED)
Kevin Murray, Staff
Miyko Harris-Parker, Staff

Legal Counsel Present: Greg Stepanicich

Others Present: Joe Teresi, City of Palo Alto; Kent Steffens, City of Menlo Park;
Art Kraemer, Palo Alto Resident; Jason Christie, SCVWD; Jeff Shore Palo Alto Resident; Trish Mulvey, Palo Alto Resident;
Ann Stillman, San Mateo County Flood Control District; Jerry Hern, Acterra;

- 2) REPORTOUT FROM SPECIAL BOARD MEETING** – Closed session, March 14, 2008
Chairperson Robinson reported out from the closed session on March 14, 2008 in which Executive Director Cynthia D'Agosta submitted a letter of resignation. Chairperson Robinson stated that the Board accepted Ms. D'Agosta's letter of resignation noting that her last day would be April 30, 2008. Director Drekmeier said that the Board was sad to Ms. D'Agosta go, but that her new role will provide her the opportunity to still work on San Francisquito Creek watershed issues.

Trish Mulvey asked the Board to clarify the intent of their next closed session. Ms. Mulvey stated that the Board needed to take a step back and look forward to the future on what skills are needed for a new ED. Ms. Mulvey stated her concern regarding the current Board schedule asking if it would adequate enough to cover what needed to be addressed. Ms. Mulvey asked that the Board ensure that the communication plan was completed during this time of restructure.

Chairperson Robinson noted Ms. Mulvey's concern agreeing that the Board does have a great deal going including the challenge of filling the ED position. ED responded saying that staff is currently polling the Board on setting up additional meetings to determine the best course of action for finding a replacement for her position. Director Jacobs Gibson gave thanks to ED for her service. Director Jacobs Gibson stated that she was happy for the ED and that she is glad she is not going far.

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Chairperson Robinson stated that the Board is very cognizant of what can be discussed in a closed session vs. an open session and that issues of going forward on how a new ED is selected will be done in open session. Chairperson Robinson stated that the Board looks to the public for guidance in going forward with the process.

3) APPROVAL OF SPECIAL MEETING MINUTES FEBRUARY 28, 2008

Minutes approved 4-0.

4) APPROVAL OF AGENDA

Agenda approved 4-0.

5) CONSENT CALENDAR

None.

6) PUBLIC COMMENT

Jerry Hurn, member of Acterra provided the Board with an update on the Watershed council stating that there the operations of the Watershed Council have been kept the same with the one exception of the open forums. Mr. Hurn stated that he would continue to attending JPA Board meetings to provide updates on the Watershed Council.

Personally thanked ED for her service and her efforts to gather the stakeholders within the watershed. Happy he will have a more active role with ed in her new role.

7) REGULAR BUSINESS:

Draft agenda items for April 24th Board meeting

ED presented to the Board the draft agenda items for the next scheduled Board meeting on April 24, 2008. ED summarized the items on agenda for the 24th which include a number of open session discussions regarding replacement for the ED position, completion of the comprehensive package for Congresswoman Eshoo, scheduling of the OES meeting and a presentation from Stanford on the HCP ED stated that staff has attempted to put together an OES meeting at the direction of the Chair, however staff is suggesting postponing the OES meeting to next quarter as the April 24th agenda is full. ED told the Board that the HCP presentation would be done in study session format. ED reminded the Board that April 24th meeting would be her last Board meeting as Executive Director of the JPA. Director Jacobs Gibson noted that agenda items for the 24th were lengthy and she questioned what the estimated time length of the meeting would be. ED stated that she expects at least three hours for the meeting on the 24th. Director Drekmeier asked if the special meeting scheduled on April 11th was still on. ED replied saying that as of now the meeting was still scheduled. Director Drekmeier moved to approve scheduling the OES meeting for next fiscal quarter. Director Estermera seconded. Motion approved 4-0.

8) PROJECT UPDATES:

Report out from Corps Quarterly meeting March 13, 2008

ED gave a brief summary of the Quarterly meeting with the Corp which included conversation regarding the comprehensive plan needed for Congresswoman Eshoo and mapping task. ED said that the Corp team confirmed that second piece of mapping is still on schedule for a June finish date. ED told the Board that at the this meeting the Janice Lear-Chan the current PM for the project informed the group that she had been transferred to a new

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project and that Nicole Ortega, would be taking over as PM for the project on an interim basis until the 2009 Federal funding process which will be Oct 2009.

Approval of modified FCSA

ED presented the Board to the Board a modified FCSA for signature and approval. ED stated that the agreement was standard procedure and had been reviewed by JPA legal council. Modified FCSA approved 4-0.

Approval of Local Sponsor Financial Capabilities form for Feasibility Phase

ED presented the Local Sponsor Financial Capabilities form for Feasibility Phase to the Board for approval. ED stated that this document was also standard procedure and that the Board had already had previous discussion regarding it. Local Sponsor Financial Capabilities form approved Passed 4-0

Corps review of hydrology report completed; signatory for certification of hydrology report

ED presented to the Board the signatory for certification of hydrology report for review. ED stated that the JPA is not approving or signing the document. ED stated that the document for information only. Chairperson Robinson asked if the JPA had received a copy of the hydrology report. ED said no and referred to Jason Christie of the SCVWD for further explanation.

Mr. Christie stated that the hydrology engineer for SCVWD was working directly with the Corp and that he could put in a request to have a copy of the hydrology report be sent to the JPA. Chairperson Robinson asked that an electronic copy be sent as well as a hard copy. ED this is the first of many of these documents that will be produced in this fashion during the course of the study.

Early Implementation Alternative Project update Attachment

ED informed the Board that the EIP was now online and that there has been some feedback already from some members of the public. Director Drekmeier questioned if the transition of the current ED leaving would have an impact on the EIP process. PM, Kevin Murray, stated that if the Management Team could get through the schedule of meetings they have set for the EIP, than there should be no delay.

ED reminded the Board that the IRWP process would be strategic in the planning of the EIP. ED stated that JPA had a very high ranking in IRWP process however; it will be difficult for staff to stay on top of the funding for IRWP once she departs. ED told the Board that when the IRWP funding is available the JPA needs to have the EIP submitted. Chairperson Robinson questioned if consultants for the EIP would be hired prior ED's departure. PM responded by saying no, the estimated time for hiring for the EIP is 2009 – 2010. PM stated that before consultants could be hired, the Board would have to come to an agreement on which member agency would be managing the EIP project.

Comprehensive Plan preparation update.

ED provided the Board with an update on the comprehensive plan requested by Congresswoman Eshoo. ED told the Board that she intends to have one more round of

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reviews before presenting the information at the April 24th meeting. ED stated that the SCVWD information on Measure B funds had not yet been submitted. ED reminded the Board that Congresswoman Eshoo is expecting this package by the end of April. Chairperson asked if anyone. ED noted that the item had not been agendized on the SCVWD Board agenda. Mr. Christie, SCVWD, stated that the SCVWD was currently involved in a new budget process, therefore causing a delay in agendizing this item. Mr. Christie apologized for the inconvenience and stated that SCVWD staff is working on the information request. Chairperson Robinson stated that the JPA Board is eager to have the information and that once the item is agendized with the SCVWD, JPA Board members would like to attend. ED stated that were a number of citizens that wished to attend as well

- 9) **BOARD AND ASSOCIATE MEMBER REPORTS** - *Agendized reports from Board and/or Associate Members requesting Board action.* – None
- 10) **BOARD AND ASSOCIATE MEMBER MATTERS** - *Non-agendized comments, requests, or announcements by Board and/or Associate members, no action may be taken.*
Chairperson Robinson provided the Board with a brief summary of the meeting he, Director Abrica, ED and PM Kevin Murray had with staff from Assemblyman Ruskin's, Congresswoman Eshoo's, Senator Smitian's office and Senator Yees's office. Chairperson Robinson stated the meeting went very well. Chairperson Robinson noted that the staff member from Senator Yee's office was very motivated and eager to get as much info as possible. Chairperson Robinson concluded his summary saying that ED gave each of the members elect's staff a list of state opportunities to be on the look out for, for the JPA. Chairperson Robinson noted that there were a lot of opportunities for funding but that there were a lot more organizations out there needing the money and unfortunately our community is not looked at as needing money
- 11) **ADJOURNMENT:**
Chairperson Robinson adjourned the meeting at 4:55 pm.

Minutes Prepared by: Miyko A. Harris-Parker