

**April 29, 2008 Special Meeting Minutes
San Francisquito Creek
Joint Powers Authority**

Chairperson Abrica called the meeting to order at 11:35 a.m. at the City of East Palo Alto Community Room, 2415 University Avenue, East Palo Alto CA

1) ROLL CALL

Members Present: Chairperson Abrica, City of East Palo Alto
Director Robinson, City of Menlo Park
Director Drekmeier, City of Palo Alto
Director Kwok, Santa Clara Valley Water District
Director Gordon San Mateo County Flood Control

Alternates Present: None

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: Trish Mulvey, Palo Alto Resident; Br, San Mateo County Flood Control District; Bern Beecham, Palo Alto Resident; Anne Stillman, San Mateo County Flood control District

2) APPROVAL OF AGENDA

Agenda approved 5-0

3) CONSENT CALENDAR

None

4) HIRING PROCESS FOR REPLACEMENT OF JPA EXECUTIVE DIRECTOR

Public Comment

Trish Mulvey, Palo Alto resident, asked the Board to really consider Tom Rindfleisch's comments about weather the JPA really needed an Executive Director. Ms. Mulvey said that if the Board determined that they are going to hire an Executive Director for the agency than they need to consider weather or not the ED needed to be a full-time or part-time employee. Mrs. Mulvey stated that the public tends to pay more attention to the budget of the agency rather than the workings of the agency. Mrs. Mulvey stated that Director Robinson had mentioned that there needed to be more support for lobbying for DC efforts and that the current SCVWD Chairperson stated her interest in the JPA Board taking a more active role in the lobbying efforts as well. Mrs. Mulvey continued to say that the Board should consider a title change as the position does not institute the ability to make executive decisions. Mrs. Mulvey said that the Board also needs to be more open in its dealings with the Executive Director.

Chairperson Abrica asked for statements from the Board.

Director Drekmeier stated that he is leaning towards hiring a new Executive Director as soon

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as possible. Director Kwok stated that the Board needed to take a look at the position requirements and determine what the ED needs to do now as the needs of the position today are very different from the needs of the position eight years ago. Director Kwok continued to say that he would prefer not hiring immediately. Director Kwok suggested waiting until the Board knows what the position requirements should be and that in his opinion the focus for the position is getting the Feasibility Study complete. Director Drekmeier suggested that the Board start the process with a job description.

Director Gordon said that he was not convinced that the Board should hire a new Executive Director and that maybe contracting is a better option. Director Gordon stated that he wanted to explore the idea of contracting with consultants instead of hiring a fulltime Executive Director. Director Gordon continued to say that under a consultant some short term projects could get constructed and better prepare us for when the Federal Government is capable of providing funds for a bigger fix. Director Gordon said that he does not know whether hiring a new Executive Director compared to contracting with consultants gets us there quicker or more efficiently and effectively but it is worth looking into.

Chairperson Abrica stated that his concern is time as the current Executive Director's last day is tomorrow the Board needs to determine who will be monitoring/managing staff while the Board works the process of hiring a new Executive Director. Chairperson Abrica asked the Board if the responsibility of monitoring/managing staff should fall to the Chair and Vice-chair. Director Kwok stated that his main concern in regards to the management of staff is who will be managing the new agreements with the SCVWD. ED stated that the Management team and legal councils for the JPA and the SCVWD will be handling the agreements.

Director Robinson stated that we are grappling with both long-term and short-term needs and that it is important that we have the broader discussion on what we need to do. Director Robinson said that it is important to step back and address Director Gordon's question of do we need an Executive Director. Director Robinson said that he wants to have Cynthia's input to help the Board focus on what direction the agency needs to go. Director Robinson said we don't want our current projects getting held up on the Boards decision to appoint a new ED or not. Director Robinson reminded the Board that Cynthia stated that the grant situation is also an important item that needs to be looked at. Director Robinson asked if the current Corps tasks can be completed by the JPA staff while during this transition period. ED said that there is only one task right now and that there does need to be a discussion at Board level regarding it.

Chairperson Abrica stated that if we can agree for at least a month that the Chair and Vice-chair handle the managing of the JPA staff than the rest of the meeting could be focused on what to do next. Director Gordon stated that the Board should focus on writing the job description as that will help each Board member in determining whether or not a consultant or a fulltime ED will be hired. The Board agreed to have the Chair and Vice-Chair manage the JPA staff during the Executive Director hiring process.

Developing the Job description

Director Robinson asked if the position should be of an engineering type of position or more of a political fundraising lobbyist who will be focused on advocacy. Director Kwok stated

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that his preference is to look for an engineer who knows the political goings on. Director Robinson stated that we have opportunities in Sacramento that we might be able to augment and that the State opportunities might provide to be more realistic for the agency.

ED stated that we are still in a position of getting the project done and knowing how to get it done and that each of the JPA's member agencies have staff members who know engineering aspect of the process. ED continued to say that what the JPA does not have is someone who can build the community and the political support. ED reiterated that the engineers are in place.

Chairperson Abrica and Director Robinson stated that based on the current ED's comments an advocacy support person is needed the most. ED said that the JPA has relied on one or two of its member agencies to carry the lobbying efforts for the agency but that it is past time for the JPA to collectively pull the lobbying efforts together.

Director Gordon said the project management seems to be in place and that he believes that the JPA needs to have somebody who has enough knowledge to be able to communicate with the current engineers and project managers. Director Gordon stated that if the new ED can not communicate with the engineering and project management staff than we will have a problem. Director Gordon asked how the Board makes sure we have someone with enough ability to coordinate the many groups involved. Director Robinson stated that JPA Project Manager, Kevin Murray, convenes the Management Team meetings and he has been for quite some time. ED said that representation at the Management Team meetings by all the member agencies is an issue. ED stated that each agency needs to make sure they have reps at the management team for better coordination. Director Robinson suggested that the Board list the critical components of the ED job description and appoint a sub-committee to draw up the job description. Chairperson Abrica agreed and stated that Cynthia needed to be included in the process. Director Robinson agreed and stated that once the job description was developed it would be brought back to the Board for approval.

Director Drekmeier gave a brief summary of job description based on the Board's discussion: Experience negotiating with SCVWD, high level of experience in facilitation and advocacy, project management experience, excellent communication, and knowledge of community engagement. Chairperson Abrica stated that the person needs to be able to manage internal administration. Director Kwok stated that there should be more discussion on the technical skills requirement as the management team does not negotiate with the Corp. or the SCVWD staff the ED will do that. Director Robinson suggested adding the ability to demonstrate technical concepts. Director Gordon stated that there have been two tracks of conversation when dealing with Corp the ED and the District staff. Director Gordon questioned what would happen if we maintained someone for advocacy coordination and had the district staff deal with the Corp. ED responded by saying the challenge would be the lack of representation of the other member agencies voices. ED stated that what would need to happen is that whoever forms the SCVWD staff they would need to have a set schedule for reporting to the JPA to prevent situations where one member agency is acting on the JPA's behalf without communicating to the other four member agencies.

Director Drekmeier stated that the Board needed to decide which member agency was going to publish the job opening. Director Gordon said that he would inquire into SMC publishing the job description. Director Gordon continued to say that the discussion regarding the SCVWD and the Corp was very helpful in bringing him closer to making a decision to hire an

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ED in an advocacy role if the Board were to decide to let the SCVWD take the lead on the Feasibility study. Director Gordon stated that he was unclear on the EIP process if SCVWD were to take the lead on the Feasibility study. Director Robinson stated that the EIP is being handled by Kevin Murray and the Management Team. Director Robinson stated that the new ED needs to have a role, but Kevin and the management team will continue leading the EIP project. Trish Mulvey stated that the funding for the EIP has yet to be discussed and that the Board had not mentioned in their discussion the longevity of the new ED.

Developing the schedule

Director Gordon suggested scheduling another meeting in two weeks to review the job description created by the subcommittee. Director Robinson and Director Drekmeier volunteered to be the subcommittee. Director Kwok asked if the Board was ready to decide if the position would be fulltime or part-time. Director Gordon suggested that the Board wait to make a decision on whether the position was fulltime or part-time once the job description was complete. Director Robinson suggested discussing the hiring timeline. Chairperson Abrica said that the timeline could be decided upon at the next JPA meeting when the Job description would be approved.

Trish Mulvey asked who would be doing the screening of the applicants. Greg Stepanicich, Legal Counsel, for the JPA stated that the Board does have to be apart of the screening process. Director Gordon suggested scheduling one week for screening one week for interviewing. Director Drekmeier asked if the interviews could be done in closed session. Legal responded yes.

ED stated that the JPA staff will continue to help the Board with coordinating schedules. Chairperson Abrica reminded the Board to bring their calendars to the next Board meeting. ED reminded the Board that the each member agency had staff members who participated in the screening process for the hiring of the first ED. Chairperson Abrica stated that the Board would have to make a decision on which member agency's HR department would handle the recruitment process. Director Gordon said that he does not know not know if SMC will offer free service. Director Drekmeier suggested asking for just help on posting the position. Director Gordon said if he can get SMC to provide help at no cost than he would ask for full recruitment support.

- 5) **BOARD AND ASSOCIATE MEMBER REPORTS** - *Agendized reports from Board and/or Associate Members requesting Board action.* – None
- 6) **BOARD AND ASSOCIATE MEMBER MATTERS** - *Non-agendized comments, requests, or announcements by Board and/or Associate members, no action may be taken.*-None
- 7) **ADJOURNMENT:**
Chairperson Abrica adjourned the meeting at 1:10 pm.

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

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