

MINUTES
SAN FRANCISQUITO CREEK
JOINT POWERS AUTHORITY BOARD
18 November 2004

Chairperson Bay called the meeting to order at 6:10 p.m. at the City of East Palo Alto Council Chambers, 2415 University Avenue, East Palo Alto, California.

1. Roll Call

Members Present: Chairperson Bay, City of East Palo Alto
Director Mossar, City of Palo Alto
Director Duboc, City of Menlo Park-Alternate

Members Absent: Director Gordon, San Mateo County Flood Control District
Vice Chair Zlotnick, Santa Clara Valley Water District

Associate Members Present: Pam Sturner, Watershed Council

Associate Members Absent: Michael Fox, Stanford University

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

Others Present: Debra O'Leary (City of East Palo/COE Liaison) Joe Teresi (City of Palo Alto); Beau Goldie (SCVWD); Jim Johnson (Watershed Council); Kent Steffens (City of Menlo Park); Ann Stillman, Brian Lee (San Mateo County Flood Control District); Christie May (Stanford University); John Schaefer (Palo Alto Resident); Mary Schaefer (Palo Alto Resident); Jeff Shore (Palo Alto Resident); Ginger Holt (Menlo Park Resident); Art Kraemer (Palo Alto Resident)

2. APPROVAL OF THE OCTOBER 28, 2004 SPECIAL MEETING MINUTES

The Board considered approval of the meeting minutes from October 28th. Director Mossar moved approval, Director Duboc seconded, and approved 3-0.

3. APPROVAL OF AGENDA

The Board considered approval of the evening's agenda. Director Mossar moved approval, Chairperson Bay seconded, and approved 3-0.

4. CONSENT CALENDAR

Approval of Resolution # 04-10-18; Changes to signatory name on already approved Resolution #03- 02-27B for State Department of Water Resources Grant to Watershed Council.

The Board considered approval of the consent calendar item. Director Mossar moved approval, Chairperson Bay seconded, and approved 3-0.

5. PUBLIC COMMENT—Public comment on items not on the agenda. None

6. REGULAR BUSINESS

a. Executive Directors Report

Ms. D'Agosta said she had recently attended a two-day COE planning seminar in the middle of November. She said it was extremely beneficial because it gave a good overview on the how the process operates within the COE. She said it was also good to meet the chiefs of planning who would be reviewing the documents for our project. She said that while the guidelines with the COE are strict, there was room for COE planner creativity and flexibility within those parameters.

Ms. D'Agosta said she and Directors Mossar and Zlotnick met with several community members at Art Kraemer's house on November 16th to talk about the new process of folding the CAP into the GI.

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Director Mossar said they appreciated the opportunity for the conversation that evening. She said the discussion would continue and the issues would become more sharply defined in the months ahead.

Ms. D'Agosta said the COE indicated the 905b Report, which is the product of the GI Reconnaissance phase, would be completed by no later than the beginning of December. She said the report would be turned over to the JPA to review and comment upon.

Ms. D'Agosta said the 905b Report would go back to the COE whereupon, the document would go through their internal technical review and then up to the South Pacific Division Headquarters for final approval in late January.

Ms. D'Agosta said the letter of intent would need to be prepared for Board approval. She said the Board would discuss this document in January. She said the letter of intent was not a contract but an agreement that indicated the JPA's understanding of the GI Feasibility process.

b. FY 2004-05 Agency Work Plan

Ms. D'Agosta said the agency work plan usually has been presented to the Board at the annual meeting in September. She said the need for limited agendas during the last few meetings required postponing the presentation of the work plan until this meeting. She said the work plan would be used in the Executive Director's review process to gauge her accomplishments for the year.

Ms. D'Agosta said the work plan would likely be modified as the COE projects developed. She said she planned to use this work plan as a document in a packet of orientation materials for new Board members in January.

Chairperson Bay said he was on board with it and liked the fact that it was linked up to the Executive Director's performance and new contract. He said the JPA had been struggling with a sense of priorities relative to the reality of limited staff resources. He said there would be not enough staff resources to achieve all these items.

Chairperson Bay said the JPA has had low turnover on the Board over the last five years until the last few months. He said the Executive Director could be in a challenging position as time moves ahead to balance the goals outlined in this plan with limited staff resources.

Director Mossar suggested Director Gordon and herself as members of the Personnel Committee needed to fine tune and prioritize this work plan as part of Ms. D'Agosta's review process.

Ms. D'Agosta said this was an excellent idea and a good place to start the process of refining the work plan.

Director Duboc asked what was the process for the Executive Director's review.

Ms. D'Agosta said the Executive Director's review process had been formalized in the last year. She said the review was modeled off member agency review processes for City Managers. She said the evaluation process was a six-month progression of steps, which began with a meeting by the Personnel Committee, and moved to full Board discussion.

Director Duboc asked if the full Board discussion was conducted in closed session.

Ms. D'Agosta said the final two steps were conducted in a closed session format.

Director Duboc suggested that the process include bringing back the former Board members such as those who have been elected out of office and those who rotated off the Board to come back and participate in the review.

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Director Mossar said this discussion on the Executive Director's review process was not on the meeting's agenda to be talked about but the Personnel Committee would take Director Duboc's suggestion under advisement.

The Board considered acceptance of the FY 2004-05 Work Plan. Director Mossar moved approval, Chairperson Bay seconded, and approved 3-0.

c. Maintenance Walk Memorandum – Approval. Staff report and attachment.

Ms. D'Agosta said Board requested that the JPA needed to develop more formal announcement about the conclusion of the annual maintenance walk. She said a memorandum was developed and ready to send out to the boards and councils of the JPA member agencies.

Chairperson Bay said this memorandum was what he had in mind in terms of size and content. He thanked Mr. Murray for his good work on this matter.

The Board considered approval of the memorandum. Director Mossar moved approval, Chairperson Bay seconded, and approved 3-0.

d. Emergency Response – Rain-Flow Gauge Study

Ms. D'Agosta said coordination of emergency response and mitigation activities are in the JPA's purpose statement. She said the rain gauges across the watershed could be expanded and directly related to the watershed's emergency response and winter preparedness capabilities. Ms. D'Agosta said this report proposes that the JPA initiate an effort to do data collection and analysis of existing programs, and recommend next steps to the Board. She said this analysis could be developed into a full proposal that would come back to the Board at an upcoming meeting.

Director Mossar asked if the idea was to look for a way to pay for this through grant funding.

Ms. D'Agosta concurred that improvements on the system and funding would be looked at. She mentioned that she and Ms. O'Leary were talking to individuals at the Federal Emergency Management Agency (FEMA) about potential funding sources.

Director Duboc said she was happy to see this since the City of Menlo Park initially requested the JPA agendize and further explore this item.

e. First Quarterly Financial Report (July-Sept 2004). Staff report and attachment.

Ms. D'Agosta said this first quarterly report of the new fiscal year was formulated based on a cash basis rather than the accrual basis. She said this report reflects expenditures and revenue received for both general operations and grant projects. She said those grant projects are not in the budget so project consultants appears to be an over expenditure but in fact the revenue has come in through the grants and other projects.

Director Duboc asked whether the agency was spending money it did not have for these grants.

Ms. D'Agosta said money for Project Consultants was coming directly from the Revenue from Other Governments category. She said the money was coming in from grant revenue sources that were not in the JPA budget.

Chairperson Bay said the percentage of budget category in the report might not be the best way to communicate where things stand within the budget. He asked that a better way be explored for future quarterly financial reports to the Board.

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Ms. D'Agosta said this category was added at the request of Vice Chair Zlotnick. She said this would be evaluated as the JPA made staff changes in January.

The Board considered approval of acceptance of the quarterly report. Director Mossar approved, Director Duboc seconded, and approved 3-0.

- 7. BOARD AND ASSOCIATE MEMBER REPORTS** - *Agendized reports from Board and/or Associate Members requesting Board action.* None

- 8. BOARD AND ASSOCIATE MEMBER MATTERS** - *Non-agendized comments, requests, or announcements by Board and/or Associate members, no action may be taken.*

Pam Sturner reported on the launch of activities for their winter native planting workday season. She said this program began successfully with several classes of students from Menlo Middle School at the Waverly Street Bike Bridge. She said another workday opportunity was coming up the following weekend at El Palo Alto Park.

Chairperson Bay asked Ms. Sturner where people could get the particulars on future workdays.

Ms. Sturner said these were posted on the Acterra website.

Director Mossar said she was disappointed to have Associate Member Stanford University missing for a second meeting in a row. She said this needed to be turned around because Stanford would be important to have at the table in the year ahead.

Chairperson Bay said this was his last meeting as a director of the JPA. He said newly elected East Palo Alto council member Ruben Abrica had expressed strong interest in serving on the JPA.

Chairperson Bay said this was one of his favorite committees to serve on. He said he foresaw staying engaged in the JPA as a non-Board member. He said serving on the JPA was immensely satisfying over the last five years and said he would miss the other Board members.

Jeff Shore said he wanted to thank Chairperson Bay for his service to the JPA. He said he would be honored to have him join the cast of citizens that attended the monthly JPA meetings.

- 9. ADJOURNMENT**

Chairperson Bay adjourned the meeting at 6:47 p.m.

Minutes Prepared by: Andrew M. Kloak
Clerk of the Board