

San Francisquito Creek Joint Powers Authority
January 27, 2022, Board Meeting Minutes

Director Abrica called the meeting to order at 3:30 p.m. via streaming video and teleconference call. Public input was solicited on each item and all public comments received are noted herein.

1) ROLL CALL

Members Present: Director Ruben Abrica, City of East Palo Alto
Director Drew Combs, City of Menlo Park
Director Pat Burt, City of Palo Alto (Not present at roll call)
Director Gary Kremen, Santa Clara Valley Water District (Valley Water)

Members Absent: Director Dave Pine, San Mateo County Flood and Seal Level Rise Resiliency District

JPA Staff Present: Margaret Bruce, Executive Director
Kevin Murray, Staff
Miyko Harris-Parker, Staff
Tess Byler, Staff

Legal Present: Trisha Ortiz
Ginetta Giovinco

2) APPROVAL OF AGENDA

ACTION: Motion and second (Kremen/Combs) to approve the agenda passed 3-0.

Roll call vote:
Director Abrica Aye
Director Combs Aye
Director Burt Not Present
Director Kremen Aye
Director Pine Not Present

3) APPROVAL OF THE December 16, 2021, REGULAR BOARD MEETING MINUTES

ACTION: Motion and second (Kremen/Abrica) to approve the December 16, 2021, Regular Board meeting minutes passed 3-0.

Roll call vote:
Director Abrica Aye
Director Combs Aye
Director Burt Not Present
Director Kremen Aye
Director Pine Not Present

4) PUBLIC COMMENT

None.

5) GUEST SPEAKER Kenneth Dueker, J. D., OES Chief and Director of Emergency Services

Chief Dueker provided an update on winter safety and preparedness.

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Director Abrica, reflecting the vegetation density of creek banks and on a fire that started in the creek last year, asked Chief Dueker to comment on possible jurisdictional issues regarding creek cleanups and maintenance. Chief Dueker explained that there were several issues relating to campfires and deliberately set arson fires in the creek last year and he commended Menlo Fire Protection District and Palo Alto Fire for their great work attending to these issues. Chief Dueker concurred with Director Abrica's comment regarding the density of the creek area vegetation and encouraged everyone to keep reporting incidents to the fire departments. Director Abrica thanked Chief Dueker for comments and updates on winter safety and preparedness.

Director Burt arrived at 3:36 pm.

6) CONSENT AGENDA

Consider adopting a resolution reconsidering the circumstances of the COVID-19 state of emergency and making findings to authorize public meetings to be held via teleconferencing pursuant to Government Code Section 54953(e).

Consider adopting a resolution approving the Memorandum of Understanding (MOU) between the SFCJPA, the City of Menlo Park, META Platforms Inc. (formerly Facebook) and PG&E for the implementation of the Menlo Park SAFER Bay BRIC grant.

Consider accepting the recommendation of the Personnel Committee for the Board's Executive Director review process and questions.

ACTION: Motion and second (Kremen/Burt) to approve the Consent Agenda passed 4-0.

Roll call vote:

Director Abrica Aye
Director Combs Aye
Director Burt Aye
Director Kremen Aye
Director Pine Not present

7) INFORMATION ITEMS

Executive Director's Report

Ms. Bruce provided project updates related to; Potential Repair/Replacement of Existing Palo Alto Top-of-Bank Features, Reach 2 funding and permitting, upstream detention evaluation, SAFER Bay Notice of Preparation (NOP) and Reach 1 plantings, signage and memorial plaque and bench installation. Director Abrica asked if the top of the bank work will require CEQA. Ms. Bruce replied yes, if significant work needs to be done, CEQA will be needed.

8) ACTION ITEMS

Board member roles and committee assignments

ACTION: Motion and second (Burt/Kremen) to approve Board Chair (Abrica) and Vice Chair (Combs) to continue as Chair and Vice Chair approved 4-0.

Roll call vote:

Director Abrica Aye
Director Combs Aye
Director Burt Aye
Director Kremen Aye
Director Pine Not present

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ACTION: Motion and second (Kremen/Abrica) to approve Board Committees representation to remain the same: Finance (Pine/Burt), Personnel (Abrica, Combs), Emergency Preparedness (Kremen/Abrica), Purposes, Roles and Responsibilities Committee (full Board) approved 4-0.

Roll call vote:

Director Abrica Aye
Director Combs Aye
Director Burt Aye
Director Kremen Aye
Director Pine Not present

ACTION: Motion and second (Abrica/Combs) to approve ACWA JPIA representation to remain the same (Combs/Byler) approved 4-0.

Roll call vote:

Director Abrica Aye
Director Combs Aye
Director Burt Aye
Director Kremen Aye
Director Pine Not present

Trisha Ortiz, SFCJPA legal representative, provided a summary of how long a SFCJPA Board Chair has served in the position as Chair.

9) CLOSED SESSION

Conference with Legal Counsel — Existing Litigation Government Code Section 54956.9(d)(1)
Name of case: Peter Joshua v. San Francisquito Creek Joint Powers Authority, et al. San Mateo County Court of Appeal Case No. A163294
Adjourned to closed session at 4:08 pm.

Director Kremen left at 4:22 pm.

Readjourned at 4:23 pm.

Trisha Ortiz, SFCJPA legal representative announced that there were no reportable actions from the closed session.

10) BOARD MEMBER COMMENTS, INFORMATION ITEMS, REQUESTS and ANNOUNCEMENTS
(Information only)

None.

11) ADJOURNMENT

Adjourned at 4:24 pm.

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