

MINUTES
SAN FRANCISQUITO CREEK
JOINT POWERS AUTHORITY BOARD
23 February 2006

Vice-Chair Duboc called the meeting to order at 6:00 pm at the City Of Menlo Park Council Chambers, 701 Laurel Street Menlo Park, California.

1. ROLL CALL

Members Present: Director Duboc, City Of Menlo Park
Director Mossar, City of Palo Alto
Director Abrica, City of East Palo Alto
Director Gordon, San Mateo County Flood Control District

Alternates Present: None

Members Absent: Chairperson Zlotnick, Santa Clara Valley Water District

Associate Members: Michael Fox, Stanford; Pam Sturner, Watershed Council

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

Others Present: Debra O'Leary, City of East Palo Alto/COE Liaison; Art Kraemer, Palo Alto Resident; Mary & John Schaefer, Palo Alto Residents, Viv Blomenkamp, Palo Alto Resident; Joe Teresi, City of Palo Alto; Kent Steffens, City o Menlo Park; Neil Cullen, San Mateo County Flood Control District; Brian Lee, San Mateo County Flood Control District; Jason Christie, Santa Clara Valley Water District

2. APPROVAL OF DECEMBER 15, 2005 and JANUARY 5, 2006 MEETING MINUTES

Minutes approved, 4-0

3. APPROVAL OF AGENDA

Agenda approved, 4-0

4. CONSENT CALENDAR

None

5. PUBLIC COMMENT – Limited time for public comment on items not on agenda.

None

6. REGULAR BUSINESS: ED REPORT

- Summary of recent project planning efforts:
 - EOC January 5, 2006 meeting summary & recommendations.
 - January 30th Palo Alto Council joint meeting summary
 - Corps Process Update: accounting; February 15th kick-off team meeting; research of federal funding assistance programs; near future planning schedule.
- President's federal budget:
 - Member agency's visiting Washington D.C.
 - SCVWD federal request letter
 - Congresswoman Eshoo correspondence
 - Letters of support needed
- Local correspondence – response letters:
 - Ersted property
 - Menlo Fire District
- Tree Inventory with Eagle Scout Troop

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Summary of Recent Project Planning efforts:

EOC January 5, 2006 meeting summary & recommendations-

Executive Director, Cynthia D'Agosta, started her report summarizing recent project planning efforts of the JPA beginning with the January 5 emergency response study session. Reports on emergency response from the January 1, 2006 storm event have been received from just about every jurisdiction within the JPA and are on file for those who would like to see them. Rainfall monitoring system throughout the upper watershed in one of the items the JPA has been working on. Director Mossar requested more information on the status of the rainfall monitoring system and would like to have a thorough presentation done for the Board, before the next rainy season.

January 30th Palo Alto Joint meeting summary- Executive Director stated the City of Palo Alto staff summary for the January 30th study session is attached.

COE Process Update: Executive Director reported on the February 15th kick-off planning team meeting, stating that both the COE and the JPA were represented with their full management teams present for a full day of information sharing. The COE provided the JPA management team with an overview to what was to come in terms of the planning & research process. The JPA also conducted a tour of the lower watershed / Creek with the COE team in February. An upper watershed tour has been scheduled for late March.

Executive Director stated that the first public informational meeting for the Feasibility phase & Project Management Plan (PMP), which will be hosted by the COE, had been tentatively scheduled for April 19, 2006. However, there is a 30-day public notice required by both NEPA and CEQA for the meeting and so the date may get changed in order to meet this requirement. A determination must be made, of which member agency, or if the JPA, will serve as the lead/responsible agency for CEQA. The SCVWD has said they might be willing to take on the task.

Executive Director stated that the ESCROW account had been set-up and member agencies have received their invoices for the contributions for the FCSA. Exec Direc thanked the management team for their hard work and dedication to the project over the last few months.

President's Federal Budget:

Member agencies visiting Washington D.C.-

Executive Director announced that she'd received notice that the President's budget released in February did not have funding for the SFCreek project, or any planning projects for the FY 2007 COE budget within it. Negotiations in Congressional Committees will continue through December, and we will work to get it back into the budget. Member agencies of the JPA have, and will go to, Washington D.C. in the next two months. In the visits our Board members will be meeting with the COE, Committee members, Congressional leaders to ask for support. Director Abrica visited in February and stated that he made the rounds in D.C, putting in a good word with every person that could be found, and he let them know that more members would be coming.

SCVWD federal request letter, Congresswoman Eshoo correspondence, Letters of support needed-

Executive Director said that as in previous years, the SCVWD has prepared a federal request packet which includes a \$450,000 funding request for FY2007 COE budget for our project. Exec Director stated that she has direct communication with Representative Ann Eshoo's offices in D.C. and Palo Alto to follow the progress. She then presented a letter from Representative Anna Eshoo, urging citizens and local business within the watershed to send in letters of support for the project. Director Mossar stated that the flooding interest is very important but there are many partner agencies and organizations that have an interest in the ultimate outcome of the project for reasons beyond fluvial flooding. As this is intended to be a project that meets a number of goals, there will be much more success if we remember to include all of those organizations.

A template draft letter that can be used to send to representatives, and a list of where to send letters, was included in the Agenda packet.

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Local Correspondence:

Executive Director presented a *draft response letter to Mr. Ersted* and a *draft response letter to the Menlo Park Fire District*.

The Ersted response letter pointed out that although interested, the JPA has not yet been able to retain one of its member agencies to receive the creek bank, and therefore complete a transaction with Mr. Ersted. The JPA will continue to research all aspects of the matter.

Responding to interest by the Fire District to become a participant in the Creek JPA, the response letter outlined common goals of the two organizations and potential roles the Fire District could play if it were to become a member of the JPA. The Board gave direction to Executive Director to reformat a simpler letter, stating our interest in continuing to explore the potential opportunities.

Director Gordon stressed his concerns that the response letter indicates that the Fire District could be a lead in cross-jurisdictional organization of emergency preparedness. His concern lies with the need to recognize the responsibilities of the two County's OES departments. Director Gordon suggested a meeting with the County OES needs to be arranged prior to moving forward [with the Fire Dept.], to understand the role OES plays, how that relates to emergency personnel in various cities, and how they work with various police departments, etc.

Director Abrica stated that the JPA may want to do a Study Session on coordinating emergency preparedness/response as it is part of the mission of the JPA. Director Abrica stated that he convened a brief study session after the last storm event, with his staff in East Palo Alto and invited County OES. Director Abrica continued, stating that the JPA should not commit to any specifics with the Fire District, but agreed that we definitely need to have some serious discussion.

Director Mossar stated that it is nice to have an agency come forward to want to participate in the JPA process, especially since we have tried to get other organizations to join and have not succeeded. Director Mossar stated that her inclination is that the JPA is not committed at this point to answer point by point the letter that we received from the Fire District; rather, a letter that says 'we've received your letter and we look forward to further discussion with you' is a letter she would feel comfortable with.

Director Duboc agreed with Director Abrica's suggestion we hold a Study Session for emergency preparedness. She also agreed that we need to research the issues thoroughly, mentioning that there was confusion at her last Council meeting [City of Menlo Park], in which the Fire District wanted to be part of the County-wide Emergency Service Council. Director Duboc volunteered the City of Menlo Park Council Chambers to have a JPA study session on emergency preparedness.

Tree Inventory with Eagle Scout Troop:

Sunday, March 26, 2006 the Eagle Scout Troop of Menlo Park will be working with Executive Director Cynthia D'Agosta and JPA Project Manager Kevin Murray to perform a tree inventory along the Creek. This will map & document "vulnerable trees"; one that are aged, on the slopes of banks, near bridges, etc.

7. FINANCE REPORTS & FY 2006-07 DRAFT BUDGET

- Finance Committee review of FY 2004-05 Financial Statement – *Accept Statement Attachment 1*.
- Quarterly Financial Report - Six month profit / loss statement *Attachment 2*
- First draft FY 2006-07 proposed operational budget & budget features *Attachment 3*

Finance Committee review of FY 2004-05 Financial Statement:

Executive Director stated that the review of the year end, FY 2004-05 financial statements was handled differently this year as the CPA was not going to be presenting the reports. Instead the Finance Committee, (Director Abrica and Chairperson Zlotnick) reviewed the reports and have provided their questions and feedback to the Board. Chairperson Zlotnick requested that Executive Director present his questions and comments, as he was not present at the meeting. Chairperson Zlotnick suggested that the Board have more detailed information on quarterly reports, showing the actual checks and deposits that have been made. Director Abrica stated that he would be open to the Finance Committee reviewing more information on a regular basis to provide more feedback the Board.

Directors' Duboc, Mossar and Gordon questioned their ability to approve tonight's presentation, stating that they had not seen the reports. Executive Director reminded the Board that they had decided to have the

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Finance Committee review the financials this year. The Board gave direction for the FY 2004-05 Financial Statements to be presented to all Board members, and approval brought back to them once they have reviewed the documents.

Quarterly Financial Report and First Draft FY2006-07 proposed Operational Budget and Budget Features:

Executive Director pointed out that the draft budget is just a first pass and is not expected to be approved as next month there will be a more informative presentation that will include the future projections of the JPA's financial status.

Executive Director and Project Manager, Kevin Murray presented the quarterly financial report pointing out the percent of budget spent and explaining that it is quite high at 73% due to the project consultant expenditures which were not in the operational budget as they run out of a separate account. Mr. Murray stated that backing out the project consultant expenditures leaves the total expenditures at 44.3%. Director Gordon asked that the format of the report be changed so that the categories, which are in alphabetical order, be aligned with budget category fields.

Director Duboc stated that her concern is that we are not sustainable especially with personnel cost, and that this is not just an issue with the JPA, but also with every member organization.

Director Mossar stated that it is hard for the member agencies to consider putting more money into the JPA until there is clear value added. Once we get into the Feasibility Study this will be more immediately recognized. Director Mossar said that she does agree with Director Duboc that we cannot keep operating as is, holding the member contributions at a steady amount, year after year.

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

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

Pam Sturner, San Francisquito Watershed Council, presented an update on current projects. Storm Water Detention Demonstration projects are being done to show people alternatives to using impervious surfaces in landscaping. One of the projects is a residential project that is a driveway retrofit in Palo Alto, which has been completed. The other is working with the City of Menlo Park to retrofit a parking lot in the downtown area. There has also been debris and Ivy removal projects within the Creek on creek clean – up days.

10. CLIP FILE –

Executive Director presented the clip file to the board containing the past months media coverage on the Creek.

11. ADJOURNMENT

Chairperson Zlotnick adjourned the meeting at 7:29 p.m.

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