

**MINUTES**  
SAN FRANCISQUITO CREEK  
JOINT POWERS AUTHORITY BOARD  
February 28, 2002

Chairperson Bay called the meeting to order at 6:06 p.m. at the City of East Palo Alto Council Chambers, 2415 University Avenue, East Palo Alto, California.

**1. ROLL CALL**

Members Present: Duane Bay, City of East Palo Alto  
Dena Mossar, City of Palo Alto  
Greg Zlotnick, Santa Clara Valley Water District  
Rose Jacobs Gibson, San Mateo Co. Flood Control District

Members Absent: Chuck Kinney, City of Menlo Park (absent at Roll Call, arrived at 6:45 p.m.)

Associate Members Present: Phil Chang, SF Watershed Council  
Michael Fox, Stanford University

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

Others Present: Jennie Micko, Pat Showalter (Santa Clara Valley Water District); Jim Johnson (SF Watershed Council); Ruben Nino (City of Menlo Park); Brian Lee, Walt Callahan (San Mateo County Public Works); Joe Teresi, Kent Steffens (City of Palo Alto Public Works); Debra O'Leary (City of East Palo Alto/Army Corps of Engineers); Jeffrey Shore (Duveneck/St. Francis Neighborhood Association); Tami Min (Palo Alto Daily News); Curt Myers (Palo Alto resident); Viv Blomenkamp (LWVPA); Sarah Tamblyn (Wolfe Mason Company) Christopher Butler (UC Berkeley Researcher/Student)

**2. PUBLIC COMMENT –None**

**3. APPROVAL OF MINUTES FROM PREVIOUS MEETING OF January 24, 2002.**

Director Mossar motioned to approve the minutes from January 24, 2002

Director Jacobs Gibson seconded.

Approved 4-0.

**4. APPROVAL OF AGENDA**

Ms. D'Agosta stated that she wanted to move the Federal Project Update from 6.a.ii to 6.a.v. on the agenda since Director Kinney had indicated he would be late but wanted to be present for this item.

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Director Mossar motioned to move the Federal Project item to the last agenda item under Regular Business.

Director Jacobs Gibson seconded.

Change of the agenda order approved 4-0.

**5. CONSENT CALENDAR- None**

**6. REGULAR BUSINESS**

**a. STAFF REPORTS:**

**i. Budget Proposal 2002/03**

Ms. D'Agosta stated the staff report outlined the current status of the JPA Budget. The JPA is in the process of hiring a CPA to make the transition from Palo Alto to the JPA as the fiscal agent. The JPA budget request was the same as last year. She stated that they should review it for an upcoming approval of the budget.

Director Mossar said it would be helpful to have budgeted versus actual information included in the staff report. She said that each member agency needs to know what they are paying for and have some way to measure the cost effectiveness of the JPA in a very clear way.

Ms. D'Agosta stated the best way to do this would be to have a financial analyst prepare and present this information to the JPA Board.

Director Jacobs Gibson said she would like to see further information on the kind of work the JPA staff is doing. It should include a breakout of project and administrative work being done and how it is funded.

Director Zlotnick said he was interested in seeing information on the use of this year's rollover. He said, in particular, he would like to see a prioritizing of what will be done in the area of contract services.

Chairperson Bay said he would like to include a breakout of the JPA's legal services in a report as well. He said it was important to have the attorney services but he said he had no idea of the extent we are utilizing our legal counsel.

Ms. D'Agosta stated that a report including these items would be presented to the Board.

**ii. Levee Project Update**

Ms. D'Agosta stated the SCVWD prepared a schedule of work being done on the levee project. The schedule was included in the staff report. She stated that the member agencies had been holding weekly staff telephone meetings for the last two months. There are items that are on a critical path including the CEQA documents, permits, right of way in Palo Alto, East Palo Alto easement, design

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change to reduce the number of homes from eleven to three houses impacted and an agreement on cost share and future maintenance.

Director Mossar said she was not aware of the design change from eleven houses to three houses impacted. She said this information was necessary for her to understand.

Ms. D'Agosta stated she thought Director Mossar understood this about the change in design.

Jeff Shore said that he learned from Roy Weese at the SCVWD that the three homeowners mentioned earlier in the design change are upstream of the fifteen homeowners on Edgewood Avenue. The fifteen will still be affected by work done. This clarification by Mr. Shore helped Director Mossar better understand the details on this and she agreed to move forward.

Ms. D'Agosta stated the JPA would report back to the Board at the March 21, 2002 Board Meeting on the levee project. She stated that the agreement for construction and maintenance would be finalized by the end of March. There were three public meetings coming up in March. One on March 6<sup>th</sup> in East Palo Alto, another on March 7<sup>th</sup> in Palo Alto and the third would be on March 26<sup>th</sup> at the International School in Palo Alto.

Director Zlotnick motioned to authorize the levee project design criteria change to increase the allowable net increase in water surface from .20 feet to .25 feet.

Chairperson Bay seconded.

Approved 4-0.

**iii. Communications Policy – Appoint Board Executive Committee**

Ms. D'Agosta stated that an Executive Committee be formed consisting of Director Zlotnick and Director Jacobs-Gibson to help draft policies for better communications between and amongst the member agencies. They would come back in May to the JPA Board with these proposed guidelines.

Director Zlotnick moved on the Communications Policy Executive Committee formation.

Director Jacobs-Gibson seconded.

Approved 4-0.

**iv. Resolution for Urban Streams Restoration Program Grant**

Ms. D'Agosta stated that a resolution from the JPA is needed for grant applications that has the JPA partnering with the City of Palo Alto for bank

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stabilization on a Palo Alto stretch of the creek and with the Town of Portola Valley on a seven-mile stretch of Corte Madera Creek.

Director Mossar motioned to approve the resolution.

Director Jacobs-Gibson seconded.

Resolution for the Urban Streams Restoration Grant application approved 4-0.

*Director Kinney arrived at this point [6:45 p.m.] in the meeting.*

**v. Federal Project Update**

Ms. D'Agosta stated two letters from Congresswoman Eshoo were included in the agenda packet. The first was to the JPA on her efforts to secure authorization and funding for the reconnaissance study and the second was a letter from Congresswoman Eshoo to Senator Barbara Boxer requesting assistance to get the funding for the reconnaissance study.

Ms. D'Agosta stated that Director Mossar, Director Bay and Director Zlotnick would all be in Washington D.C. as part of the federal delegation to carry the message about federal funding for the San Francisquito Creek. Also, she stated the Federal Workgroup was established and had met twice. A draft resolution that designated the JPA as the local lead sponsor of the federal project was given to the Board to review and come back to vote on at the March 21<sup>st</sup> meeting.

Ms. D'Agosta stated the Creek Watershed Project submittal by the SCVWD within the federal request package needed to be discussed by the Board.

Director Mossar said that document over emphasized the SF Watershed Council. It should focus on the JPA and its member agencies. As the local sponsor of the Federal Project, the JPA needs to be featured more prominently. She said the document needs to be revised before it goes to Washington because in reading it there was too little information on the JPA included.

Director Zlotnick said the comments made a lot of sense but that the document was in final process and likely to be printed in the very near future.

Ms. D'Agosta stated she was interested to know where the document was in the process.

Ms. Micko said that the SCVWD Board was in the process of getting the document to be approved by their Board on March 5<sup>th</sup>. She stated that they would do their very best to make the changes. She said that the reason that they emphasized some of the more grass-roots groups [SF Watershed Council] that grew into the JPA was that that was the kind of thing that attracts interest of the Federal agencies like the COE.

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Director Zlotncik said that instead of cutting out the information on the SF Creek Watershed Council, information should be added on the JPA.

Chairperson Bay said the Recon Report by the CRMP was a fine piece of work that came out at an inopportune time when the flood of 1998 hit. He said the title JPA History or the History of Consensus should be included in the document when referencing the JPA or the SF Watershed Council.

Director Mossar said that it should say that the SF Watershed Council is a continuing working partner of the JPA in the report. She said the JPA would not be here today without the work of the SF Watershed Council.

Director Zlotnick said that the report needs to be finalized by the end of business on Monday March 4<sup>th</sup>.

Ms. D'Agosta stated the staff report included some actions needed to be brought to a vote by the Board. The first that the JPA logo should be included by the SCVWD within the document in the federal request package.

Director Mossar motioned that SCVWD project submittal to have the JPA logo included.

Director Kinney seconded.

Approved 5-0.

Ms. D'Agosta stated that the next item was to clarify that in the future to have the District annual report and any other formal communications from the member agencies with Federal Agencies be brought to the JPA's Federal Workgroup and if deemed necessary brought to the Board. She stated no vote was needed on this but it was to be made clear.

Ms. D'Agosta stated the third item was to have the JPA Board agree to consideration of having the JPA be the local lead sponsor of the Federal project. She stated that this item needed no action but just an agreement by the Board to be discussed and voted upon with a resolution to this effect at the March 21, 2002 meeting. Each member of the Board concurred this was the right way to proceed on this.

Director Mossar said that the March 21<sup>st</sup> Board meeting would be the best time to vote on this. After that have it go to the member agency boards and councils for approval of a resolution from them on this matter.

**7. MEMBER REPORTS**

- i. Director Zlotnick said that it came to his attention that Colonel O'Rourke was leaving his position with the Army Corps of Engineers in July. He explained that

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the director's serve in the San Francisco District for a two-year period. Colonel O'Rourke's two years will be up in July and he will be going back to Washington D. C. Director Zlotnick said this would be a good opportunity to send Colonel O'Rourke a letter of appreciation before he leaves.

**8. BOARD ANNOUNCEMENTS-None**

**9. ADJOURNMENT**

Director Mossar motioned to close the meeting.

Director Kinney seconded.

Meeting Adjourned at 7:20 p.m.

**MINUTES PREPARED AND SUBMITTED BY:**

Andrew Kloak

San Francisquito Creek Joint Powers Authority