

MINUTES
SAN FRANCISQUITO CREEK
JOINT POWERS AUTHORITY BOARD
March 21, 2002

Chairperson Kinney called the meeting to order at 6:36 p.m. at the City of Menlo Park Council Chambers, 801 Laurel Street, Menlo Park, California.

1. ROLL CALL

Members Present: Chuck Kinney, City of Menlo Park
Dena Mossar, City of Palo Alto
Greg Zlotnick, Santa Clara Valley Water District

Members Absent: Sharifa Wilson, City of East Palo Alto
Rose Jacobs Gibson, San Mateo Co. Flood Control District

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 (Santa Clara Valley Water District); Susan Fizzell (SF Watershed Council); Ruben Nino, Dianne Dryer (City of Menlo Park); Brian Lee, Walt Callahan (San Mateo County Public Works); Joe Teresi, Glenn Roberts (City of Palo Alto Public Works); Debra O'Leary (City of East Palo Alto/Army Corps of Engineers); Mary Schaefer (Crescent Park Neighborhood Association) Jeffrey Shore (Duveneck/St. Francis Neighborhood Association); Janet Davis (Menlo Park resident); Curt Myers (Palo Alto resident); Viv Blomenkamp (LWVPA); Sarah Divine (Menlo Park resident)

2. PUBLIC COMMENT –None

3. APPROVAL OF MINUTES FROM PREVIOUS MEETING OF February 28, 2002.

Director Mossar motioned to approve the minutes from February 28, 2002

Director Zlotnick seconded.

Approved 3-0.

4. APPROVAL OF AGENDA

Director Mossar motioned to approve the agenda.

Director Zlotnick seconded.

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Approved 3-0.

5. **CONSENT CALENDAR**- None

6. **REGULAR BUSINESS**

a. **STAFF REPORTS:**

i. **Federal Project Update**

Ms. D'Agosta stated that there was a project list in the Board packet of potential projects for the COE for consideration in the Capital Appropriations Projects (CAP). The Federal Project Workgroup was working through the list. She stated that the list was not finalized and that Board approval of the list was not being sought at this meeting. However, two items were being brought before the Board for approval.

1). Board approval to submit the draft letter for the COE for a formal request to start the CAP process.

2). JPA Resolution for the long-term project.

Director Zlotnick said he had concern with the list not being prioritized. The list of potential CAP projects was the subtext of the draft letter. He said the list makes sense as projects to undertake within the overall mission of the JPA, but questioned whether they would contribute to the Recon Study and the Feasibility Phase with the COE. However, he said he was in agreement with approving the draft letter that would initiate the start of the CAP process.

Director Zlotnick said the wording that "designates the JPA as the 'Local Lead Sponsor' for the COE Recon and the long-term study" in the staff report makes sense. He clarified that he saw the words "long-term study" to mean the Feasibility Study. He said the JPA has essentially agreed to fund things at the local level through the Feasibility stage. His concern was with the language in the resolution that goes beyond this. He said that the resolution should be tailored to a more limited scope at this point.

In the resolution, Director Zlotnick referred to the paragraph that reads "NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the San Francisquito Creek Joint Powers Authority hereby agrees to designate the Joint Powers Authority as the "Local Sponsor" for development and agreement with the San Francisco District Office of the Army Corps of Engineers, on Congressional and locally approved projects within the watershed, subject to independent approval from each member agency Board/City Council." He said that the wording that designates the JPA working with the COE "on Congressional and locally approved projects within the watershed" goes beyond what he was comfortable with, because it gets into the full-blown ultimate project. He wanted this replaced in the resolution so the JPA would be the "Local Lead Sponsor" to work with the COE for the Recon and the long-term study.

Ms. D'Agosta stated the discussions have been for the JPA being the "Local Lead Sponsor" for the COE Recon Study and all the way through the Feasibility stage.

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Director Zlotnick said that wording designating the JPA as the “Local Lead Sponsor” for the COE Recon Study and the Feasibility Study would be acceptable in the resolution.

Director Mossar said she wanted to clarify that there would be no problem with limiting the scope in a resolution.

Mr. Stepanicich said that he did not feel it was a problem because there will need to be a Feasibility Study cost/share agreement with whoever is the sponsor anyway at that point. He said it should be limited to the Reconnaissance Study and the Feasibility Study.

Director Mossar motioned for a vote for approval to submit the draft letter for the COE for a formal request to start the CAP process.

Director Zlotnick seconded.

Approved 3-0.

Director Mossar motioned to amend the resolution to establish a more limited scope that establishes the JPA as the “Local Lead Sponsor” for the Reconnaissance Study and the Feasibility Study.

Director Zlotnick seconded.

Approved 3-0.

Chairperson Kinney asked that Ms. D’Agosta send out the new version of the resolution to the Board via email before the next meeting on May 23, 2002.

ii. Levee Project Update

Ms. D’Agosta stated the workgroup was successful in getting the California Environmental Quality Act (CEQA) document finalized and posted with the state. It was being agendized for the April 30th San Mateo County Board meeting and for the May 7th Santa Clara Valley Water District Board meeting.

Ms. D’Agosta stated permits for the project were moving forward. Designs were being worked on with the SCVWD. Everything was on track to have construction begin in mid-June.

Director Mossar said that she wanted to be updated at the next JPA Board Meeting [May 23, 2002] on the International School portion of the project. The International School requested to have a pedestrian pathway put on top of the levee and SCVWD has proposed something different: a bicycle path. She said the maintenance agreement was very specific in its language. She read, “Any portion of the Palo Alto bicycle path that is removed or damaged during the reconstruction of the levees should be replaced in the manner *approved by Palo*

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Alto....” She said this issue needs to be discussed at the next Levee Project Update to the Board.

iii. Budget

Ms. D’Agosta stated she was interested in having the FY 2002-03 Budget adopted with modifications made by the budget subgroup.

Director Zlotnick said he was in support of moving forward on the budget but wanted to realistically look at when it can be approved. As all members were not present and Director Jacobs Gibson sent a letter that asked for more information, he said that he thought it best that all five members be present.

Director Mossar said the issue is that further clarity and details on the budget are needed. She said that she didn’t want to have a special board meeting on budget, but wanted it presented in the best light possible as hard questions during these cost cutting times will be asked by her council colleagues.

Chairperson Kinney said his interpretation of Director Jacobs-Gibson’s letter is that she is still not satisfied with the level of detail San Mateo County needs. He said her request is good, but awkward because the JPA has evolved to take on several roles. He asked Ms. D’Agosta for the timeline for having the budget approved.

Ms. D’Agosta stated she wanted to have the budget approved and taken back to each respective agency for their approval prior to the beginning of the new fiscal year, July 1st.

Director Mossar said she would have little basis to take this back to her colleagues on the Palo Alto City Council. She said the budget is not presented in a way that will hold up to their questions. She added details like \$15,000 for so many hours of a consultants time to do a project are not the kind of things her colleagues and the public want to see.

Ms. D’Agosta stated that no set format that has been adopted, so the categories of Outside Funding Sources and Project List and Tracking were added this year.

Director Mossar said the question to be answered is: what was the work product? In the budget report, she said, two things are needed. First, what did the JPA achieve with the money contributed last year and secondly, what does the JPA anticipate achieving in FY 2002-03 with these public dollars.

Director Mossar said the average Palo Alto resident needs to know what actions are being taken to resolve their flooding problems. She said when dealing with scarce public monies, the public needs reassurance on addressing the fundamental issue of flooding. It can be handled in one way internally, but for the general public, this investment in this public agency is important because of this x reasons

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and x is the work product. She said the message is not complex, but simple, and therefore hard to develop.

Director Zlotnick said he thought Ms. D'Agosta working with Director Mossar to get it in a format that will work could solve this. He said this should be answered: what is moving the process to provide security for the citizens? In a more specific way, there needs to be a list that says these are the things that contribute to immediate and long term flood management activities and this other list looks at things done on environmental activities.

Director Mossar said the bottom line is that the budget proposal is a report to the public. She said that some of the public want environmental aspects stressed but that most of the community see [environmental issues] as impediments to any real progress on flood control. Director Mossar said the majority in her community feel flood control is the only thing the JPA should be doing.

Director Zlotnick said it is good that there are no increases in this year's budget. Projections for a 30 percent increase for the JPA budget for FY 2003-04 did concern him. He said this was building into the JPA's base an expectation to receive more funding from the member agencies. He felt it would be better to show a five percent salary increase and a way to pick up the rest through outside funding like grants for FY 2003/04.

Director Zlotnick said this falls in line the discussion that went on at the JPA Planning Workshop in October 2001. He said the main question that we come back to is: what is the focus and priorities of the JPA?

Director Mossar said she could not approve the budget at this meeting in the present format; much less take it forward to the Palo Alto community. There is very close scrutiny by the citizens and a local newspaper that looks at how every dollar is spent by the City of Palo Alto. She said it is not her intention to stop the budget based on the dollar amount. It is important to present the budget material as well as we can to the Palo Alto Council, she said.

Chairperson Kinney said the Budget agenda item should be continued to the May 23rd Board Meeting. Approval was deferred to that date.

iv. Outside Funding Sources

Ms. D'Agosta stated this staff report summarized the grant funding that has been secured by the JPA for projects on the San Francisquito Creek watershed. The report on grant activities was provided for information only.

Director Zlotnick said it was great to see that the JPA was getting this money from outside sources like state and federal agencies.

v. Project List and Tracking

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Ms. D'Agosta stated this agenda item summarized two things. The first was the major tasks and projects done by JPA staff. The second was a list of the projects undertaken on the watershed that are followed by the JPA.

Director Zlotnick said that this list seemed larger than should be. He asked what the JPA is not accomplishing by diverting their focus to the tracking these projects. He said he needed a context of what the level of effort from the JPA was in this project monitoring.

Director Mossar asked if this list could be constructed differently. She said the Board does not need to have all the itemized details on the project-tracking list and, ultimately, it did a disservice to all the good things the JPA has accomplished. She said a summary of this list for the Board and the public would tell a more compelling story.

Director Zlotnick said he thought it was a good thing that the JPA is aware of these things. He said there was a list stating each JPA employee is doing and another list based on the monitoring everything is happening in the watershed. He said there has to be prioritization and the JPA couldn't follow everything and do everything.

vi. Purpose/Vision Statements

Ms. D'Agosta stated JPA Purpose and Vision statements were in the staff report for discussion and approval.

Director Zlotnick said this is a fundamental conversation about the JPA that will show up on letterhead and other agency communication materials. He added Board approval should wait until all five members are present.

Director Mossar agreed with Director Zlotnick but said that any changes by the three Board members should be reflected in the minutes. She said that once all five members were present, it should move toward full Board approval.

Director Mossar said that in the Vision statement, usage of the word *its* needed to be corrected to *its*.

Director Zlotnick said in this same paragraph he wanted the word safely added, so it reads, "*safely* conveys flood waters."

Director Zlotnick said in the first part of the Purpose statement, the addition of the wording of "developing a long term flood management project" is necessary. He said the reason this is important is that the JPA would not exist if there had not been flooding. He said the wording "plan, manage and perform services for Creek activities" was too limited. He said the JPA is more than a coordinator.

Director Mossar said the phrase "plan, manage and perform services for Creek activities" was weak and should be eliminated. She said it should include "plan,

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manage and coordinate member agency services to/by xxxxxxxx” and within this statement have flood control included. Director Mossar stressed she would not want to leave people the impression that the JPA purpose is only flood control.

Director Zlotnick said the wording “provide relief of flooding” is not accurate. He said that prevention and reduction of flood damage would be better.

7. MEMBER REPORTS

a. Watershed Council

Mr. Chang said he wanted to give a brief update on the Watershed Council. He said the Watershed Council is going through a period of re-visioning their identity and role as an organization. They scheduled a retreat for early May addressing this. He said that the JPA should have input early in this process so the Watershed Council can compliment what the JPA is doing.

Director Mossar said the appropriate way for the JPA to comment on this reformulation of the Watershed Council would be to have it agendized at a future meeting. She said that the JPA does need to talk about what they want the JPA/Watershed Council relationship to be.

Director Zlotnick said the individual jurisdictions should comment on ways the Watershed Council can be more effective and complimentary to the JPA.

Mr. Chang said that he could come back in May to update the JPA on what has developed with their direction as result of their retreat.

Chairperson Kinney said the dynamic has changed with the formation of the JPA. The Watershed Council, as a non-voting member of the JPA, needs to find a way to work with the JPA.

Mr. Chang said the project notification form needs to be utilized by the JPA. He asked the JPA to consider how to formulate a process for projects underway or planned in the watershed.

Director Mossar said that Mr. Chang should work with Ms. D’Agosta so the Board can formulate the appropriate response. Without allowing to the Board to review it first by having it properly agendized, the JPA cannot take action on this, she said.

Mr. Chang announced that there was an educational panel dedication ceremony for the watershed panels at El Palo Alto/Alma Street on April 10th.

8. BOARD ANNOUNCEMENTS

Director Zlotnick said SCVWD was hosting a Land Use and Water Summit that looked at the connection between land use, water supply and ground water quality. The summit was going to be on May 23rd.

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9. ADJOURNMENT

Director Mossar motioned to close the meeting.

Director Zlotnick seconded.

Meeting Adjourned at 8:15 p.m.

MINUTES PREPARED AND SUBMITTED BY:

Andrew Kloak

San Francisquito Creek Joint Powers Authority