



SAN FRANCISQUITO CREEK  
JOINT POWERS AUTHORITY

**Notice of Regular Meeting of the Board of Directors**

**Thursday, January 25, 2024 - 3:30 P.M.**

**City of Palo Alto Council Chambers, 250 Hamilton Ave, Palo Alto, CA, CA 94301**

**\*Members of the Public may speak on any agenda item for up to three minutes\***

**Register in advance for this meeting:**

[https://us02web.zoom.us/meeting/register/tZ0ucumsgjsjHNFnMYWBcEPh\\_Zb7u9zkdnB8](https://us02web.zoom.us/meeting/register/tZ0ucumsgjsjHNFnMYWBcEPh_Zb7u9zkdnB8)

**After registering, you will receive a confirmation email containing information about joining the meeting.**

1. CALL TO ORDER AND ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF MEETING MINUTES: Minutes of December 21, 2023, Regular Board Meeting.
4. PUBLIC COMMENT: *Individuals may speak on a non-agendized topic for up to three minutes.*
5. ACTION ITEMS:
  - A. Discuss and approve Board leadership and Committee Roles
  - B. Consider and approve resolution authorizing the Executive Director to issue a Request for Proposals for a Master Services Agreement to conduct necessary alternatives analysis, as well as other follow-on work to plan, design, and implement Reach 2 project elements, and approving budgetary allocation of up to \$300,000 in SFCJPA Reserve Funds for such agreement.
  - C. Consider and approve update to the SFCJPA's financial policies including removal of debit card utilization and increase to the Executive Director's spending authority from \$35,000 to \$50,000.
  - D. Consider adoption of resolution authorizing amendment to contract between the Board of Administration California Public Employees' Retirement System and

**750 Menlo Ave. Suite 250. Menlo Park, CA 94025**

**SFCJPA.ORG**



SAN FRANCISQUITO CREEK  
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the Board of Directors San Francisquito Creek Joint Powers Authority.

6. INFORMATION ITEMS:

A. Executive Director's Report

7. Board Member Announcements, Information Items, and Requests (Information only)

8. ADJOURNMENT

PLEASE NOTE: Board meeting Agenda and supporting documents can be viewed online no later than 3:30 p.m. on Monday, January 22, 2023, at [sfcjpa.org](http://sfcjpa.org) -- click on the "Meetings" tab near the top. The Board Meeting package will be emailed to those on our Board Meeting distribution list prior to the Board meeting date. Contact SFCJPA Board Clerk, Miyko Harris-Parker at [MHParker@sfcjpa.org](mailto:MH Parker@sfcjpa.org) if you are not on this list and would like to be added.

**San Francisquito Creek Joint Powers Authority**  
**January 25, 2024, Regular Meeting of the Board**  
**Agenda Item 3**  
**December 21, 2023, Special Board Meeting Minutes**  
**DRAFT**

Director Combs called the meeting to order at 3:34 p.m., at the City of Menlo Park Council Chambers, Menlo Park, CA. This meeting was conducted as a hybrid meeting with all attending members of the Board in person and other meeting attendees participating either in person or virtually via streaming video/ teleconference call.

Public input was solicited on each item and all public comments received are noted herein.

**1) ROLL CALL**

Members Present: Director Drew Combs, City of Menlo Park  
Director Rebecca Eisenberg, Santa Clara Valley Water District (Valley Water was not present at roll call)  
Director Ruben Abrica, City of East Palo Alto  
Director Greer Stone, City of Palo Alto

Members Absent: Director Dave Pine, San Mateo County Flood and Sea Level Rise Resiliency District (OneShoreline)

SFCJPA Staff Present: Margaret Bruce, Executive Director (In person)  
Miyko Harris-Parker, Staff (in person)  
Tess Byler, Staff (virtual)  
Kevin Murray (In person)

Legal Present: Lori Liu (In Person)

**2) APPROVAL OF AGENDA**

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

Roll call vote:  
Director Combs Aye  
Director Abrica Aye  
Director Stone Aye

Director Eisenberg was not present at the time of vote. Director Pine not present.

**3) APPROVAL OF MEETING MINUTES: Minutes of November 2, 2023, and November 16, 2023, Special Board Meetings.**

ACTION: Motion and second (Stone/Abrica) to approve Minutes of November 2, 2023, and November 16, 2023, Special Board Meetings passed 3-0.

Roll call vote:  
Director Combs Aye  
Director Abrica Aye  
Director Stone Aye

Director Eisenberg was not present at the time of vote. Director Pine not present.

**4) PUBLIC COMMENT**

None.

Director Eisenberg arrived at 3:37 pm

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**DRAFT**

**5) ACTION ITEMS**

Approval of the calendar year 2024 SFCJPA Regular Board Meeting Calendar

ACTION: Motion and second (Combs/Abrica) to approve the calendar year 2024 SFCJPA Regular Board Meeting Calendar, passed 4-0.

Roll call vote:

Director Combs Aye

Director Abrica Aye

Director Eisenberg Aye

Director Stone Aye

Staff was asked to poll board members and staff for consideration of holding board meetings on a different day of the week.

Director Pine not present.

Consider adoption of resolution of intention to approve an amendment to contract between the Board of Administration California Public Employees' Retirement System and the Board of Directors San Francisquito Creek Joint Powers Authority

ACTION: Motion and second (Eisenberg/Combs) to Consider adoption of resolution of intention to approve an amendment to contract between the Board of Administration California Public Employees' Retirement System and the Board of Directors San Francisquito Creek Joint Powers Authority, passed 4-0.

Roll call vote:

Director Combs Aye

Director Abrica Aye

Director Stone Aye

Director Pine not present.

**6) INFORMATION ITEMS:**

Executive Director's Report

Executive Director Bruce presented the Executive Director's report.

Director Eisenberg questioned if there are plans in place to actively remove debris in the creek if a substantial rain event does occur. Executive Director Bruce replied that the cities of Palo Alto and East Palo Alto plan to have equipment staged and ready at the Pope Chaucer bridge and near the University bridge and that Caltrans plans to stage equipment near the West Bayshore crossing.

Director Stone asked if changes in the design of Pope Chaucer Bridge and top of bank elements can be coordinated and if there is a time frame to begin construction. Sr. Project Manager (Sr. PM) Murray explained that those are project elements subject to the supplemental EIR and would be reviewed publicly through the California Environmental Quality Act (CEQA) process, which is about a year of review. Sr. PM Murray stated that there are additional alternatives that will be looked at to achieve the same objective. Director Stone clarified that the earliest start for construction is 2025. Executive Director Bruce concurred saying 2025/2026 at the earliest, and at this time, based on our understanding, replacement of the Newell Road Bridge and Channel Widening are moving forward.

Director Abrica asked for clarification of the timeline as the schedule presented seemed to indicate alternatives with the new data would be shared with the Board as early as February. Executive

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Director Bruce clarified that the estimated schedule would have the consultants providing conceptual design and cost estimates for selected options in April/May. Executive Director Bruce explained that the SFCJPA staff and member agency staff will review the alternatives to determine which alternatives the consultant will be asked to review in the February time frame. Director Abrica asked if the Board would have the opportunity to review the alternatives. Sr. PM Murray stated that staff can bring the list of alternatives, including those that were eliminated to the Board. Director Abrica expressed the importance of the Board and public being able to review all the alternatives and suggested doing so in a study session. Director Combs concurred with Director Abrica. Director Combs clarified that the elements of the project that fall under CEQA guidelines are those that have been determined to transfer some risk and not the Newell Bridge or creek widening projects. Executive Director Bruce concurred and explained that if additional locations for widening were found outside of our existing project footprint, then those additional locations would be included in the supplemental Environmental Impact Report (EIR).

Thomas Rindfleisch commented on the goals and criteria for Reach 2 flood control modifications, maintaining creek conveyance, and the delays of the completing the Reach 2 project.

Jim Wiley spoke of the history of the flooding events of San Francisquito Creek, Pope Chaucer bridge design and sandbag risk transfer.

Jeff Shore asked if Reach 2 planning will consider Stanford's plan to release one million cubic feet of sediment into the creek bed and what the freeboard assumption is that referenced in the HEC-RAS model.

Executive Director Bruce encouraged members of the public to come forward with their shared experiences regarding creek overtopping so that the information could be shared with Valley Water and Schaff and Wheeler. Sr. PM. Murray reminded the Board and public that any new alternatives that cause changes or new impacts are subject to CEQA and would be analyzed in a supplemental EIR. Executive Director Bruce commented that SFCJPA is aware of Stanford's project elements and that they are being considered within the SFCJPA's projects. Sr. PM Murray commented that Schaff & Wheeler stated that the HEC-RAS model is the appropriate model to use.

Thomas Rindfleisch commented on the use of the HEC-RAS model.

**7) Board Member Announcements, Information Items, and Requests (Information only)**

Director Combs shared that Caltrain did some temporary work and shored up the north side of the railroad crossing with boulders.

Director Combs shared that he, Executive Director Bruce, and Director Abrica participated in a tour of the SAFER Bay project with Congressman Kevin Mullins.

**8) ADJOURNMENT**

Adjourned at 4:52 pm.

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

## **Agenda Item 5.A. – Confirming 2024 Board Roles**

### **Background**

At the first meeting of the calendar year, the board is to confirm the roles for board leadership and committee membership.

### **Discussion**

This begins the second year of the two-year terms for the Board Chair and Vice Chair.

Current committee membership is:

Personnel Committee: Director Abrica and Director Stone.

Finance Committee: Director Pine and Director Eisenberg.

ACWAJPIA Board Director and Alternate: Director Combs and Senior Project Manager Tess Byler.

### **Recommendation**

Discuss and move approval of board's desired board leadership and committee membership.

## **Agenda Item 5.B. – Request for Authorization to Issue Request for Proposals for Master Services Agreement Regarding Alternatives Analysis for Reach 2 Project, and for Approval of Budgetary Allocation of Reserve Funds for Such Agreement**

### **Background**

Following the now-complete evaluation of the San Francisquito Creek channel hydraulics, the SFCJPA will need to conduct an analysis of the set of potentially viable alternatives identified in our adopted EIR and prioritized by our members and the Board. This work will include preliminary designs, feasibility assessments, and cost estimates. This information will inform the SFCJPA board's consideration of options and subsequent direction to staff. This effort is very likely to exceed the Executive Director's purchasing authority. Due to a lack of information at the time, this cost was not included in this fiscal year's budget.

### **Discussion**

SFCJPA staff would like to issue a Request for Proposal, the scope of which will include the analysis work discussed above. Additionally, staff recommend issuing an RFP for a Master Service Agreement (MSA), where the first task within the agreement will be for this alternatives analysis. We envision additional future tasks, tied to funding, will support design, engineering, and coordination with the SEIR contractor for selected project elements.

Staff is recommending an MSA approach because a longer-term working relationship is advantageous for project continuity, avoiding repetitive procurement processes for similar work is time-consuming for a small team and requires a lot of ramp-up time for new contracts, and we believe having an MSA-with-Tasks structure will enable staff to be as nimble and flexible as possible in the execution of the Reach 2 project. Upon conclusion of the process, the proposed contract will be brought to the board.

### **Recommendation**

Discuss and approve resolution 25-01-24-B authorizing the Executive Director to issue a Request for Proposals for a Master Services Agreement to conduct necessary alternatives analysis, as well as other follow-on work to plan, design, and implement Reach 2 project elements, and approving budgetary allocation of up to \$300,000 in SFCJPA Reserve Funds for such agreement. The SFCJPA reserves are adequate to cover this expenditure with a safe margin remaining.<sup>i</sup>

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<sup>i</sup> Please see the section on the SFCJPA's LAIF account and the current balance in our reserves account in the Executive Director's Report.



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RESOLUTION NUMBER 25-01-24-A

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
SAN FRANCISQUITO CREEK JOINT POWERS AUTHORITY  
Authorizing issuance of Request for  
Proposals for Master Services Agreement  
Regarding Alternatives Analysis for Reach  
2 Project, and Approval of Budgetary  
Allocation of up to \$300,000 of Reserves  
Funds for Such Agreement.**

**BE IT RESOLVED** by the Board of Directors of the San Francisquito Creek Joint Powers Authority that the Board of Directors hereby Authorizes the Executive Director to issue a Request for Proposals for a Master Services Agreement to conduct necessary alternatives analysis, as well as other follow-on work to plan, design, and implement Reach 2 project elements, and approving budgetary allocation of up to \$300,000 in SFCJPA Reserve Funds for such agreement.

Approved and adopted on Thursday, January 25, 2024, the undersigned hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the San Francisquito Creek Joint Powers Authority.

INTRODUCED AND PASSED:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_  
Chairperson

Date: (add)

\_\_\_\_\_  
Vice Chairperson

Date: (add)

APPROVED AS TO FORM:

\_\_\_\_\_  
Legal Counsel

Date: (add)



650 – 643-1452 \* [jpa@sfcjpa.org](mailto:jpa@sfcjpa.org) \* 750 Menlo Ave Suite 250 \* Menlo Park, CA 94025

## **Agenda Item 5.C. – Updates to SFCJPA Financial Policies**

### **Background**

The SFCJPA has a Financial Policies Document. From time-to-time staff and legal counsel review agency policy documents for necessary or recommended updates.

### **Discussion**

The current SFCJPA Financial Policy has outdated information regarding the utilization of the agency debit card, which is no longer in use due to the institution of agency credit cards approved by the Board October 22, 2020.

In anticipation of accelerating project-related work, and to help streamline payments to consultants and other agency business, we are seeking to increase the Executive Director's spending authority to \$50,000.

Please see the red-lined proposed changes in the Financial Policy document in your board packet.

### **Recommendation**

Consider approval of Resolution 24-01-25-B describing and directing the updates to the agency's financial policy.



SAN FRANCISQUITO CREEK

**Joint Powers Authority**

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East Palo Alto, Menlo Park, Palo Alto, San Mateo County Flood Control District, and the Santa Clara Valley Water District

# **FINANCIAL MANAGEMENT & ACCOUNTING POLICIES**

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The San Francisquito Creek Joint Powers Authority (SFCJPA) was created on May 16, 1999 by a Joint Powers Agreement between the City of Menlo Park, City of Palo Alto, City of East Palo Alto, the Santa Clara Valley Water District, and the San Mateo County Flood Control District. The SFCJPA is governed by a five member Board of Directors composed of one elected member of the governing board or city council of each SFCJPA member agency.

The SFCJPA plans and implements projects, and provides services, which benefit communities within the 46-square mile San Francisquito Creek watershed. SFCJPA efforts protect residents from flooding, enhance their environment and quality-of-life, and coordinate emergency services among jurisdictions.

As an independent government agency, the SFCJPA must establish and maintain sound financial management and accounting policies. The Board adopted policies contained herein provide SFCJPA management with the authority and guidance to implement these policies through the adoption of a Financial Management and Accounting Procedures Manual.

## **ACCOUNTING, FINANCIAL REPORTING AND AUDITING**

The SFCJPA will establish and maintain the highest standard of accounting practices.

- A. A comprehensive accounting process will be maintained to provide complete and timely financial information necessary to effectively operate the SFCJPA.
- B. Accounting procedures have been documented to guide employees in their tasks, to assure consistency in the SFCJPA's accounting practices, and to assist during employee turnover.
- C. The SFCJPA will meet the financial reporting standards established by the Governmental Accounting Standards Board.
- D. An annual audit will be performed by an independent certified public accountant in accordance with the requirements of the SFCJPA and its member agencies.
- E. The Finance & Administration Manager will prepare and issue monthly and timely financial reports to the Executive Director. The Finance & Administration Manager will also issue quarterly and yearly financial reports to be presented to the Finance Committee who will report the findings to the Board.
- F. To the extent possible, the Executive Director will organize and assign work duties and responsibilities so that no single employee performs a complete accounting cycle. Employees with access to cash and other physical assets will not also have access to the accounting records.

## **FINANCIAL RESERVES AND GOALS**

Sufficient financial reserves are critical to the SFCJPA's ability to achieve its stated mission and purposes.

- A. The SFCJPA will maintain a reserve account of no less than 30% of the Authority's annual budget. Prudent use of reserves will enable the SFCJPA to maintain agency operations in the event of unanticipated shortfalls.
- B. The SFCJPA will maintain specific reserves required by law and/or debt covenants and any general reserve requirements as may be set from time to time by the Board.
- C. The SFCJPA will maintain sufficient reserves to support the cost of reimbursement in the case of disallowed expenditures upon grantor audit and to cover the timing difference between disbursement and reimbursement of grant-eligible costs.
- D. Unspent funds at year end will close to the SFCJPA reserves account and be used as roll over funds to the following fiscal year, unless otherwise directed by the Board.

## **BUDGET ADOPTION AND AMENDMENT**

The budget is the central financial planning document that encompasses all revenue and expenditure decisions related to agency operations and capital expenditures. The budget establishes the level of service to be provided by the SFCJPA within the restriction of anticipated available funds.

- A. The SFCJPA will adopt an annual budget before the July 1 start of its fiscal year.
- B. The annual budget will be balanced by utilizing all available revenues sources.

- C. (Updated 09/22/2016) The SFCJPA will maintain a budgetary control process to ensure compliance with the budget. The budget will be managed so that specific account fields are not overspent without the approval of the Executive Director or the Board, as described in resolution 09-06-25.
- D. (Updated 09/22/2016) Budget transfers between account fields and budget adjustments that increase the authorized spending level of an account field of over \$35,000 must be approved by the Board. The Executive Director may authorize in writing a transfer of funds not to exceed \$35,000 between account fields, and from the unallocated balance of the General Contingency Account to any other account field, except to the account fields pertaining to the Executive Director's salary or transportation allowance.
- E. (Updated 09/22/2016) The Board will formally review the SFCJPA's fiscal condition, and amend the budget, if necessary, approximately seven months after the beginning of each fiscal year.

## **ACCOUNTING FOR REVENUES**

The SFCJPA will maintain adequate control over revenues for accounting and reporting purposes. The accounting process will provide for timely and accurate recording and processing of revenue transactions as well as any specific reporting required.

- A. State and Federal funds, as well as private grants, may be utilized as long as the Executive Director determines that the total costs and requirements of accepting the funds will not adversely impact general operations.
- B. Accounting for third party grants or contracts will allow for separate reporting of the activity as both an SFCJPA activity and in accordance with the requirements of the grant or contract.
- C. If more than one funding source is available for financing a project, the most restrictive sources will be used first.



## **INVESTMENTS**

Adequate cash management and investment procedures can help ensure that sufficient funds are available to meet current expenditures.

- A. The Board will periodically review all investments of funds made from the SFCJPA's reserve account and establish and approve additional investment policies.
- B. The investment policy shall require that idle cash is invested in accordance with the following order of priority: 1) Legality, 2) Safety, 3) Liquidity and 4) Yield.
- C. The SFCJPA will only invest in those investments authorized by the California Government Code section 53601.

## **CASH COLLECTIONS AND DISBURSEMENTS**

A part of the overall maintenance of adequate accounting procedures is the ability to control cash collections and disbursements. Accounting procedures for these areas can be viewed in the SFCJPA's Financial Management and Accounting Procedures Manual.

- A. Disbursements, whether in the form of checks, electronic transfers or other means will be approved by the Executive Director, adequately documented, and accurately recorded in the accounting records. A process for retaining and retrieving supporting disbursements documentation will be maintained.
- B. The processes for cash collections and disbursements will provide for segregation of duties to the greatest extent possible. Bank reconciliations will be reviewed on a timely basis by the Finance & Administration Manager.
- C. All cash collections in the form of checks or currency will be deposited in a timely manner, safeguarded until properly deposited, and accurately recorded in the accounting records.

- D. A receivables process will be maintained that identifies and bills all amounts due to the SFCJPA on a timely basis.

## **PURCHASING AND CONTRACTING**

The SFCJPA will maintain control over purchasing and contracting activities. A process shall provide for the efficient purchasing needs of the agency, prevent unnecessary purchases of materials and supplies, and comply with budgetary requirements.

- A. To the extent possible, vendors located within the jurisdictional lines of the SFJCPA's member agencies will be considered.
- B. (Updated 09/22/2016) The SFCJPA will obtain formal proposals through a request for proposal (RFP) process for each purchase of goods or services in an amount of \$100,000 or more. For purchases in dollar amounts between \$35,000 and \$100,000, the SFCJPA shall obtain at least three documented quotes in writing or from published price lists. The best proposal shall be determined based on a combination of price and quality.
- C. (Updated 09/22/2016) Purchases in amounts less than \$35,000 may be made at the discretion of the Executive Director.
- D. (Updated 09/22/2016) SFCJPA employees can purchase up to \$1,500 per transaction on behalf of the SFCJPA and be reimbursed with appropriate documentation and approval of the Executive Director. All requests for reimbursement must be submitted within two weeks of the purchase date.
- E. (Updated 09/22/2016) The purchase of services of above \$50,000,000 or more requires a written contract between the SFCJPA and vendor or consultant and the award of such contract requires Board approval. For the purchase of services up to \$50,000, the Executive Director has the discretion to enter into a written contract

or standard purchase order with the vendor or consultant that defines the scope of services provided and any other appropriate terms. All payments for services require an invoice from the vendor or consultant.

- F. (Updated 09/22/2016) The SFCJPA will pay invoices within 60 days of receipt. When discounts are offered, invoices will be paid within the discount period.
  
- G. For each RFP issued, the SFCJPA will establish and communicate to the prospective vendors the bidding procedures and evaluation criteria in order to ensure a fair bidding process and enable the SFCJPA to determine the most cost effective proposals.
  
- H. The SFCJPA will utilize standardized bidding and application procedures, requests for proposals, contracting provisions, and processes to ensure consistent and effective procurement of goods and services.

**Updated and newly accepted financial polices (10/22/2020):**

Updated (previously approved) policies:

**FINANCIAL RESERVES AND GOALS**

Sufficient financial reserves are critical to the SFCJPA's ability to achieve its stated mission and purposes.

- A. The SFCJPA will maintain a reserve account in the range of 12.5% – 17.5% of the Authority's annual budget starting with 15% effective in the FY 2021-2022. Prudent use of reserves will enable the SFCJPA to maintain agency operations in the event of unanticipated shortfalls.
- B. The SFCJPA will maintain specific reserves required by law and/or debt covenants and any general reserve requirements as may be set from time to time by the Board.
- C. The SFCJPA will maintain sufficient reserves to support the cost of reimbursement in the case of disallowed expenditures upon grantor audit and to cover the timing difference between disbursement and reimbursement of grant-eligible costs.
- D. Unspent funds at year end will close to the SFCJPA reserves account and be used as roll over funds to the following fiscal year, unless otherwise directed by the Board.

**PURCHASING AND CONTRACTING:**

B. The SFCJPA will obtain formal proposals through a request for proposal (RFP) process for each purchase of goods or services in an amount of \$100,000 or more. For purchases in amounts of \$50,000 and less may be made at the discretion of the Executive Director. This includes contract amendments of \$50,000 and less. Contract amendments must be reported to the Board at the next scheduled Board meeting.

C. Purchases in the amount of \$50,000 and less may be made at the discretion of the Executive Director.

D. SFCJPA employees can purchase up to \$2,000 per transaction on behalf of the SFCJPA and be reimbursed with appropriate documentation and approval of the Executive Director. All requests for reimbursement must be submitted within two weeks of the purchase date and must include copies of receipts.

E. The purchase of services above \$50,000 requires a written contract between the SFCJPA and vendor or consultant and the award of such contract requires Board approval. For the purchase of services up to \$50,000, the Executive Director has the discretion to enter into a written contract or standard purchase order with the vendor or consultant that defines the scope of services provided and any other appropriate terms. All payments for services require an invoice from the vendor or consultant and the submission of a W-9 and proof of insurance.

## New Credit Card Policy: (10/22/2020)

### **Policy brief & purpose**

The SFCJPA may provide employees with credit cards that can be used for business-related expenses. The use of these credit cards helps in tracking and processing expenses and aids in making payments more efficiently. SFCJPA employees who are authorized to use credit cards must follow all guidelines regarding credit card use.

### **Scope**

This policy applies to all SFCJPA employees who are eligible to use a SFCJPA credit card.

### **Policy elements**

How does a SFCJPA credit card work?

The SFCJPA has a master credit card account. Employees who are eligible will be given a credit card in their name. Upon activation, employees will be able to use their individual card for business related expenses. Employees must keep a record of all receipts related to their credit card expenses. All credit cards will be paid on a monthly basis through the SFCJPA accounts payable process.

### **Employee credit card agreement**

All employees who use a SFCJPA credit card need to sign and abide by a credit card agreement. Signing this agreement acknowledges that the credit card belongs to the SFCJPA and that the SFCJPA can and will process and investigate charges as we see fit. The agreement will refer to your responsibilities and the consequences for improper use. Employees should refer to this policy any time more information is needed about the use of the SFCJPA credit card.

### **Who can hold a SFCJPA credit card?**

SFCJPA credit cards may be given to any fulltime employee of the SFCJPA [Executive Director, Project Managers, Finance & Administration Manger/Clerk of the Board] SFCJPA management has the right to withdraw a SFCJPA credit card from any employee at any point.

## **Allowable Expenses:**

Any SFCJPA work related expenses including:

Office supplies, computer software

Subscriptions to business related communications/agencies

Training and educational materials

Expenses related to meetings (e.g. dinner, printed material)

Accommodations during work-related travel at current government rates.

Legal document expenses related to business

Transportation fares to and from meetings and during business related trips (airfare, train, taxi or ride-share fares, rental cars, etc.) Other minor or per diem expenses

that have been approved by your manager (e.g. meals, business material). SFCJPA

Credit cards are never to be used for personal expenses. Withdrawing cash using the SFCJPA credit card is prohibited.

## **Exceptions**

Only the Executive Director can approve of any necessary/emergency exceptions.

## **The limits of the SFCJPA credit card**

The Executive Director's card limit will exceed those of the other SFCJPA staff who will each have the same limit. Employee Credit Card limits are listed on the employee agreement form and is also listed below. These limits will be reviewed annually and adjusted as needed.

Executive Director: \$10,000

Project Managers: \$2,000

Finance & Administration Manger/Clerk of the Board: \$2,000

## **Your responsibilities**

Employees using a SFCJPA credit card must:

Protect the card to the best of your ability. Do not leave the card unattended. Do not give the card to unauthorized people (e.g. friends, family, colleagues) not even just to hold.

Report the card stolen or lost as soon as possible. If, for example, there is a break-in at your home and your SFCJPA credit card is taken, you need to file a police report and contact the Finance & Administration Manager immediately (650) 457-0943 or [mhparker@sfcja.org](mailto:mhparker@sfcja.org).

Use the card only for approved reasons. Follow the instructions in this policy and the employee card agreement, and do not use the card for personal or unauthorized expenses, even if you intend to compensate the charges later.

Document all expenses and send receipts to the Finance & Administration Manager by the 25<sup>th</sup> of each month. Documentation must include the date and purpose of each expense (Employees can use the same format as the reimbursement expense forms).

Employees who do not submit their receipts on time will be responsible for late fees incurred on the account and we may subtract the fees from your salary.

### **Use of SFCJPA credit card policy**

Employees using the SFCJPA credit card should:

Confirm expense is allowed under this policy.

Know and be mindful of the credit card limit.

Keep the credit card number and the physical card secure.

Avoid unnecessary expenses.

### **Violating this policy**

SFCJPA employees are expected to comply the SFCJPA credit card policy and the employee agreement. Violating the terms of the policy or the agreement may result in one of the following actions:

If an employee incurs personal or unauthorized expenses, the employee will be responsible for all of the charges including any interest or fees associated with the expenses. If an employee repeatedly violates the no personal or unauthorized expense policy the employee will face disciplinary action up to an including termination depending on the amount and the type of expenses. If an employee loses a receipt the employee must inform the Finance & Administration Manager



ensuring all information regarding the expense is available. If an employee consistently fails to submit receipts the employee may lose the right to have a credit card. If an employee fails to submit expenses on time, and incurs late fees, the employee will be responsible to for the late fees. If an employee consistently incurs late fees the employee will lose the right to have a SFCJPA credit card.

Sharing or giving the SFCJPA credit card to unauthorized people or abusing the expense limits may result in suspension or termination. The SFCJPA has the right

to review all employees credit card use and withdraw the privilege if there is any inappropriate use.

**Employee Credit Card Agreement**

I,\_, hereby acknowledge receipt of the Wells Fargo Business Elite Credit Card /-XXXX.  
(credit card number – enter last 4 digits only) I understand that improper use of this card may result in disciplinary action as well as personal liability for any improper purchases. As a cardholder, I agree to comply with the terms and conditions of this agreement and the Credit Card Policy for the SFCJPA. I acknowledge receipt of the Credit Card Policy and confirm that I understand the terms and conditions.

As a holder of this credit card, I agree to accept the responsibility and accountability for the protection and proper use of the card. I will return the card to the SFCJPA upon demand during the period of my employment. I understand that the card is not to be used for personal or unauthorized purchases and that I must provide a receipt for every purchase. If the card is used for personal purchases or for purchases for any other entity or if I fail to provide receipts substantiating legitimate business expenses by the 25th of the month, the SFCJPA will be entitled to reimbursement from me of such purchases (through deduction of my paycheck). The SFCJPA shall be entitled to pursue legal action, if required, to recover the cost of such purchases, together with costs of collection and reasonable attorney fees.

Signature

(Cardholder)

Date:

Signature

(Executive Director)

Date:

**Accounting Department use only: Amount**

**approved \$**

**Date:**



SAN FRANCISQUITO CREEK  
JOINT POWERS AUTHORITY  
SFCJPA.ORG

RESOLUTION NUMBER 25-01-24-B

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
SAN FRANCISQUITO CREEK JOINT POWERS AUTHORITY  
Updating the SFCJPA's Financial Policies**

**BE IT RESOLVED** by the Board of Directors of the San Francisquito Creek Joint Powers Authority that the Board of Directors hereby updating the SFCJPA's financial policies deleting reference to debit card and specifying an increase to the Executive Director's spending authority from \$35,000 to \$50,000.

Approved and adopted on Thursday, January 25, 2024, the undersigned hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the San Francisquito Creek Joint Powers Authority.

INTRODUCED AND PASSED:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_ Date: (add)  
Chairperson

\_\_\_\_\_ Date: (add)  
Vice Chairperson

APPROVED AS TO FORM:

\_\_\_\_\_ Date: (add)  
Legal Counsel





Ms. Miyko A. Harris Parker, CMC, CPMC  
Finance & Office Administration Manager  
San Francisco Creek Joint Powers Authority  
750 Menlo Ave, Ste. 250  
Menlo Park, CA 94025-4758

CalPERS ID 7815455776

January 17, 2024

Dear Ms. Harris-Parker,

Thank you for returning the Resolution of Intention to amend your CalPERS retirement contract to provide 2% @ 55 Modified formula from (2% @ 55 Full formula) and 2% @ 62 Supplemental formula from (2% @ 62 Full formula) for local miscellaneous members.

Also provided are the following documents necessary to complete the proposed amendment:

1. Amendment to Contract, two original sets.
2. Resolution, Form CON-13. This Resolution must be adopted by affirmative vote of a majority of the members of the governing body no earlier than twenty days after the adoption of the Resolution of Intention. Failure to comply may result in the delay of the anticipated effective date of the amendment.
3. Certification of Final Action of Governing Body, Form CON-5.

Your agency adopted the Resolution of Intention on December 21, 2023, therefore, the earliest date the final Resolution could have been adopted was January 10, 2024, pursuant to Government Code Section 20471. There are no exceptions to this law.

The effective date of this amendment may be as early as the day following the adoption of the final Resolution. Please insert the amendment effective date on the last page of the Amendment to Contract.

The following documents must be submitted through myCalPERS and the original documents must be returned to this office by mail. ORIGINAL SIGNATURES ARE REQUIRED ON ALL CONTRACTS.

1. Amendment to Contract, two original executed sets.
2. Resolution, Form CON-13.

January 17, 2024

3. Certification of Final Action of Governing Body, Form CON-5.

**Please do not retype the Amendment to Contract and/or agreement documents. Only documents provided by this office will be accepted. If you have any questions regarding any documents, please contact this office prior to presenting to your governing body for adoption. Another contract amendment cannot be started until this amendment is completed or cancelled.**

A copy of the contract will be returned for your records after it has been executed by CalPERS.

We are here to assist you. If you have any questions or would like additional information, please visit our website [www.calpers.ca.gov](http://www.calpers.ca.gov), or you may contact us toll free at **888 CalPERS** or **(888-225-7377)**.

Sincerely,



Stacey Barnett

Pension Contracts Analyst

Financial Office | Pension Contracts & Prefunding Programs Division

SB:tp

Enclosures

**SAN FRANCISQUITO CREEK JOINT POWERS AUTHORITY**

**RESOLUTION  
AUTHORIZING AN AMENDMENT TO THE CONTRACT**

No. \_\_\_\_\_

WHEREAS, the Board of Administration of the California Public Employees' Retirement System and the Board of Directors of the San Francisquito Creek Joint Powers Authority entered into a contract effective on February 12, 2004, providing for the participation of said public agency in the California Public Employees' Retirement System; and

WHEREAS, it is now desirable to take advantage of certain benefits provided under said Retirement System and not included in said contract;

NOW, THEREFORE, BE IT RESOLVED, that said governing body authorized, and it does hereby authorize, an amendment to said contract, a copy of said amendment attached hereto and by such reference made a part hereof as though herein set out in full; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the presiding officer of said governing body is hereby authorized, empowered and directed to execute said amendment for and on behalf of said public agency.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Presiding Officer

Attest:

\_\_\_\_\_  
Clerk/Secretary



**CERTIFICATION  
OF  
FINAL ACTION OF GOVERNING BODY**

I hereby certify that the \_\_\_\_\_ of the  
(governing body)

\_\_\_\_\_

(public agency)

considered and adopted on \_\_\_\_\_, \_\_\_\_\_, by an affirmative vote of a  
(date)

majority of the members of said Governing Body, **Ordinance / Resolution** No. \_\_\_\_\_  
approving the attached contractual agreement between the Governing Body of said Agency and  
the Board of Administration of the California Public Employees' Retirement System, a certified  
copy of said **Ordinance / Resolution** in the form furnished by said Board of Administration being  
attached hereto.

Adoption of the retirement benefit increase/change was not placed on the consent calendar.

\_\_\_\_\_  
Clerk/Secretary

\_\_\_\_\_  
Title

Date \_\_\_\_\_





California  
Public Employees' Retirement System



# AMENDMENT TO CONTRACT

Between the  
Board of Administration  
California Public Employees' Retirement System  
and the  
Board of Directors  
San Francisquito Creek Joint Powers Authority



The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective February 12, 2004, and witnessed January 22, 2004, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 10 are hereby stricken from said contract as executed effective February 12, 2004, and hereby replaced by the following paragraphs numbered 1 through 12 inclusive:
  1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for classic local miscellaneous members and age 62 for new local miscellaneous members.

2. Public Agency shall participate in the Public Employees' Retirement System from and after February 12, 2004, making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.
3. Public Agency agrees to indemnify, defend and hold harmless the California Public Employees' Retirement System (CalPERS) and its trustees, agents and employees, the CalPERS Board of Administration, and the California Public Employees' Retirement Fund from any claims, demands, actions, losses, liabilities, damages, judgments, expenses and costs, including but not limited to interest, penalties and attorney fees that may arise as a result of any of the following:
  - (a) Public Agency's election to provide retirement benefits, provisions or formulas under this Contract that are different than the retirement benefits, provisions or formulas provided under the Public Agency's prior non-CalPERS retirement program.
  - (b) Any dispute, disagreement, claim, or proceeding (including without limitation arbitration, administrative hearing, or litigation) between Public Agency and its employees (or their representatives) which relates to Public Agency's election to amend this Contract to provide retirement benefits, provisions or formulas that are different than such employees' existing retirement benefits, provisions or formulas.
  - (c) Public Agency's agreement with a third party other than CalPERS to provide retirement benefits, provisions, or formulas that are different than the retirement benefits, provisions or formulas provided under this Contract and provided for under the California Public Employees' Retirement Law.
4. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
  - a. Employees other than local safety members (herein referred to as local miscellaneous members).

5. Any exclusion(s) shall remain in effect until such time as the Public Employees' Retirement System determines that continuing said exclusion(s) would risk a finding of non-compliance with any federal tax laws or regulations. If such a determination is contemplated, the Public Employees' Retirement System will meet with the Public Agency to discuss the matter and coordinate any required changes or amendments to the contract.

In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:

**a. SAFETY EMPLOYEES.**

6. The percentage of final compensation to be provided for each year of credited prior and current service as a classic local miscellaneous member shall be determined in accordance with Section 21354 of said Retirement Law subject to the reduction provided therein for Federal Social Security (2% at age 55 Modified).
7. The percentage of final compensation to be provided for each year of credited prior and current service as a new local miscellaneous member shall be determined in accordance with Section 7522.20 of said Retirement Law (2% at age 62 Supplemental to Federal Social Security).
8. Public Agency elected and elects to be subject to the following optional provisions:
  - a. Section 20938 (Limit Prior Service to Members Employed on Contract Date).
9. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members of said Retirement System.
10. Public Agency shall also contribute to said Retirement System as follows:
  - a. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
  - b. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.

11. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.
12. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BOARD OF DIRECTORS  
SAN FRANCISQUITO CREEK JOINT  
POWERS AUTHORITY

BY \_\_\_\_\_  
MELODY BENAVIDES, CHIEF  
PENSION CONTRACTS AND PREFUNDING  
PROGRAMS DIVISION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY \_\_\_\_\_  
PRESIDING OFFICER

\_\_\_\_\_  
Witness Date

Attest:

\_\_\_\_\_  
Clerk

## **Agenda Item 6.A – Executive Director’s Report**

### **Project Updates**

#### **Reach 1-**

The Year 6 Mitigation Monitoring Report was submitted January 4, 2023. Interpretative signage will be installed on the Friendship Bridge extension by January 31, 2024.

#### **Reach 2 -**

Winter Watch and Coordination –

Sediment working group – The SFCJPA met with representatives from Stanford University, Valley Water, and CalTrans to discuss the regulatory and logistical requirements associated with sediment management at the Highway 101 overcrossing. The next step will be to increase participation to include local agencies from both counties to develop permitting strategies.

Flow triggers – SFCJPA staff are convening meetings with appropriate member staff to review and affirm how and when flow triggers will be used and what our common understanding is about communications as triggers are approached or met.

Project Activities -

Newell Road Bridge permitting details are being finalized. The City of Palo Alto confirms they are planning to begin construction in 2024.

Schaaf & Wheeler are integrating comments into a final version of their report.

Valley Water has made small adjustments to the HEC-RAS model, reflecting our improved understanding. The updated HEC-RAS model has been shared with the USACE for their review and consideration for their channel widening project designs.

As noted last month, the USACE is back to work on the widening sites with model review. The next, planned payment to the USACE for the CAP205 work will be issued soon. The budgeted payment of \$151,500 will cover additional tasks associated with the HEC-RAS model review and updated economic analysis. Additional costs for this work will need to be considered in next year’s SFCJPA budget to ensure accounts are balanced.

**SAFER Bay –**

Staff continue to work with our project partners, key stakeholders, and our consulting team at HDR to advance the ongoing CEQA work, funded by the grant we received from the San Francisco Bay Restoration Authority.

Staff continued pursuing an additional grant funding opportunity with the State Coastal Conservancy and NOAA.

**Project Schedule and Critical Path –**

The SFCJPA will need to retain the services of a consultant for alternatives analysis, SEIR support and other work necessary to advance the Reach 2 project. Staff are recommending the use of a Master Services Agreement (MSA) to accomplish these tasks. A Request for Proposals (RFP) for an MSA may take a little more time up front to develop and execute, but will provide benefits in the future, including project team continuity and avoiding delays associated with the need for subsequent procurements.

Action	Jan '24	Feb '24	Apr '24	June '24	Aug '24	Oct '24	Dec '24	Jan '25
Schaaf & Wheeler Report finalization.								
Meet with Army Corps of Engineers on new hydraulics and outline path to restart Reach 2 project work.								
Reach 2 project team to review EIR's final 17 alternatives, consider new options and select a set of viable alternatives for further evaluation.	In Prog.							
<i>Develop SOW, retain consulting support</i>	In Prog			Process may go longer to enable RFP process for a Master Svc Agreement.				
<i>Consultant to provide conceptual designs and cost estimates for select options</i>								
SFCJPA members review and confirm &/or eliminate some options, with Board input and approval (estimated by May 2024 Board Meeting) <i>Public Input</i>		Board Study Session (March)						
NOP for Supplemental Environmental Impact Report with a preferred alternative. <i>Public Input</i>								
Existing conditions updated and Supplemental EIR for preferred alternative. <i>Public Input</i>								

## Operations and Administration

**Banking** – we will be transitioning our agency bank accounts to U.S. Bank in the next few weeks.

### **Status of Reserves / LAIF Investment Account –**

The SFCJPA invests its reserves in the Local Agency Investment Fund, a State-managed investment program. The following information is from our most recent statement.

As of 01/12/2024, your Local Agency Investment Fund account has been directly credited with the interest earned on your deposits for the quarter ending 12/31/2023.

Earnings Ratio		.00010932476863589
Interest Rate		4.00%
Dollar Day Total	\$	192,910,200.28
Quarter End Principal Balance	\$	2,143,050.01
Quarterly Interest Earned	\$	21,089.86

**Available Balance:** \$2,164,139.87

**Audits** – are in progress.

**FY24/25 Budget** - staff are beginning the budget process now.

**Conflict of Interest Code Update** – The FPPC issued our updated Conflict of Interest Code but included an incorrect effective date. The FPPC has corrected that typographical error and our updated Conflict of Interest Code is now in effect. We will include this in an update to the Board Handbook for the Board’s approval in a future meeting.

**Office Lease Update** – Our current lease expires soon, but the property manager/owner has deferred their remodeling plans to some date in the future (not indefinite, but not soon, either). We will be transitioning to a month-to-month agreement with a provision for sufficient notice enabling us to find new office space when or if that is needed.

**Outreach and Advocacy** – At Congressman Mullin’s request, staff provided information regarding potential updates to WRDA (which funds the USACE Continuing Authorities Programs (CAP), including CAP205), including a suggestion to adjust project cost ceilings and overall program budgets for inflation and locality costs, to support the Congressman’s committee testimony.

**Forward View of Board Meetings**

<b>Date</b>	<b>Location</b>	<b>Suggested Topics</b>
February 22, 2024	Menlo Park Council Chambers	2024-2025
March 28, 2024	Palo Alto Council Chambers	Study Session Reach 2 Draft FY 2024/2025 Budget
April 25, 2024	East Palo Alto (if construction completed) or Menlo Park Council Chambers	Potential Board action on FY 2024-2025 budget





Artificial bodies of water, modern



# SAN FRANCISQUITO CREEK

## JOINT POWERS AUTHORITY

# Regular Meeting of the Board of Directors

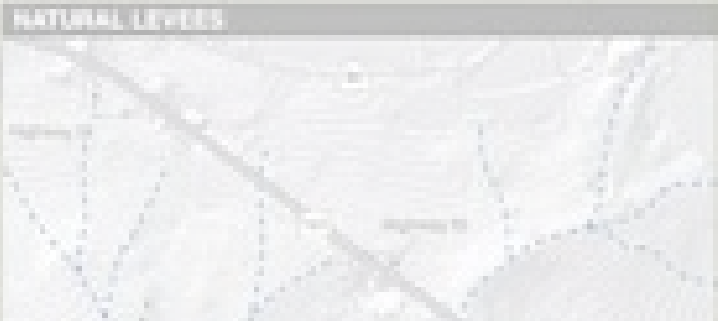
## January 25, 2024

Bear Creek subwatershed

Corte Madera Creek subwatershed

San Francisquito Creek subwatershed

Los Trancos Creek subwatershed





Artificial bodies of water, modern

# AGENDA

**\*Members of the Public may speak on any agenda item for up to three minutes\***

1. ROLL CALL
2. APPROVAL OF AGENDA: Changes or additions to the agenda.
3. Approval of Draft Minutes: Regular board meeting December 21, 2023
4. PUBLIC COMMENT: Individuals may speak on a non-agendized topic for up to three minutes on a topic within the SFCJPA's jurisdiction.

*Members of the public speaking in person should submit a speaker card to the Clerk of the Board, indicating which agenda item or items they wish to speak about, in order to be recognized. When the agenda item is called, please stand at the podium and speak clearly.*

*Members of the public speaking via video conference should raise their hand, indicating their desire to ask a question or comment. They will be recognized by the Clerk of the Board and once unmuted and recognized, please speak clearly.*

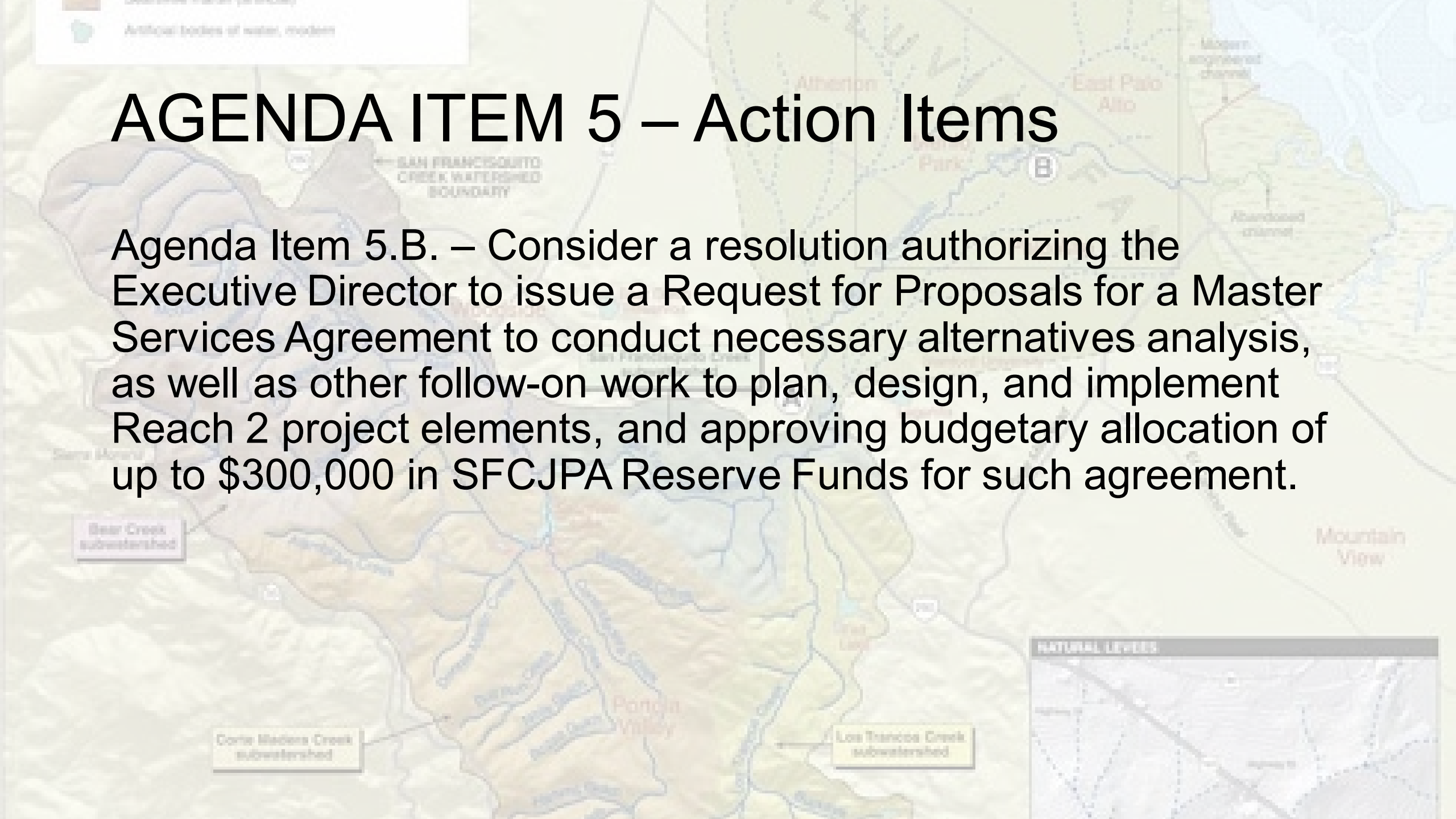
subwatershed

Los Francisco Creek  
subwatershed

NATURAL LEVELS

page 10



A topographic map of the San Franciscoquito Creek Watershed. The map shows the watershed boundary in a dashed line. Several subwatersheds are labeled: Bear Creek, Corte Madera Creek, Los Trancos Creek, and Portola Valley. Other features include 'Modern engineered channel' and 'Abandoned channel'. A legend in the top left corner shows a blue square for 'Artificial bodies of water, modern'. A 'NATURAL LEVELS' inset map is in the bottom right. The map also shows roads, towns like Alhambra and East Palo Alto, and a 'Mountain View' area.

# AGENDA ITEM 5 – Action Items

Agenda Item 5.B. – Consider a resolution authorizing the Executive Director to issue a Request for Proposals for a Master Services Agreement to conduct necessary alternatives analysis, as well as other follow-on work to plan, design, and implement Reach 2 project elements, and approving budgetary allocation of up to \$300,000 in SFCJPA Reserve Funds for such agreement.



Artificial bodies of water, modern

# AGENDA ITEM 5 – Action Items

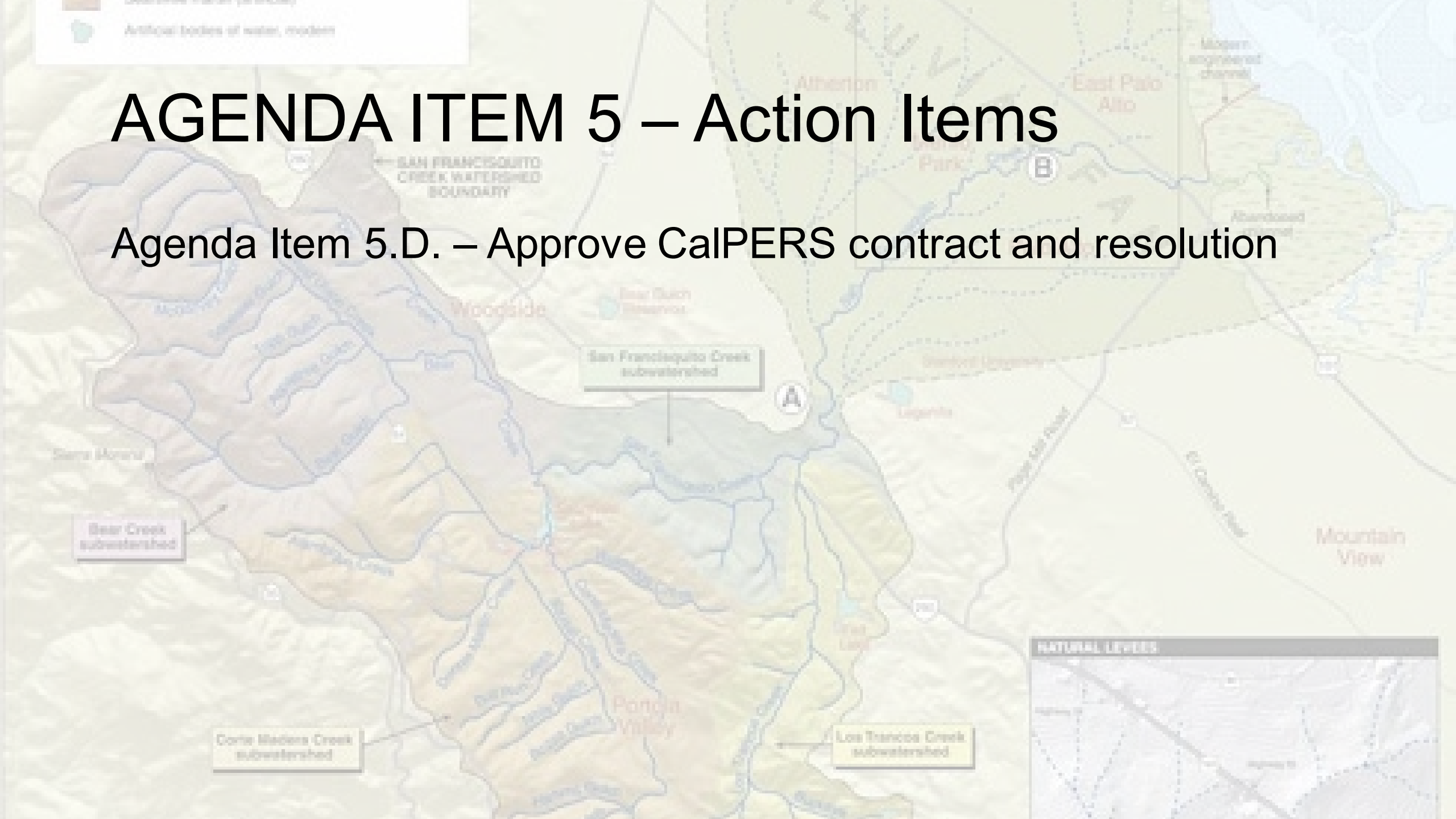
## Agenda Item 5.C. – Updates to the SFCJPA’s Financial Policy

Proposed changes are:

- Removing reference to debit card
- Upward adjustment of Executive Director’s spending authority from \$35,000 to \$50,000

# AGENDA ITEM 5 – Action Items

Agenda Item 5.D. – Approve CalPERS contract and resolution

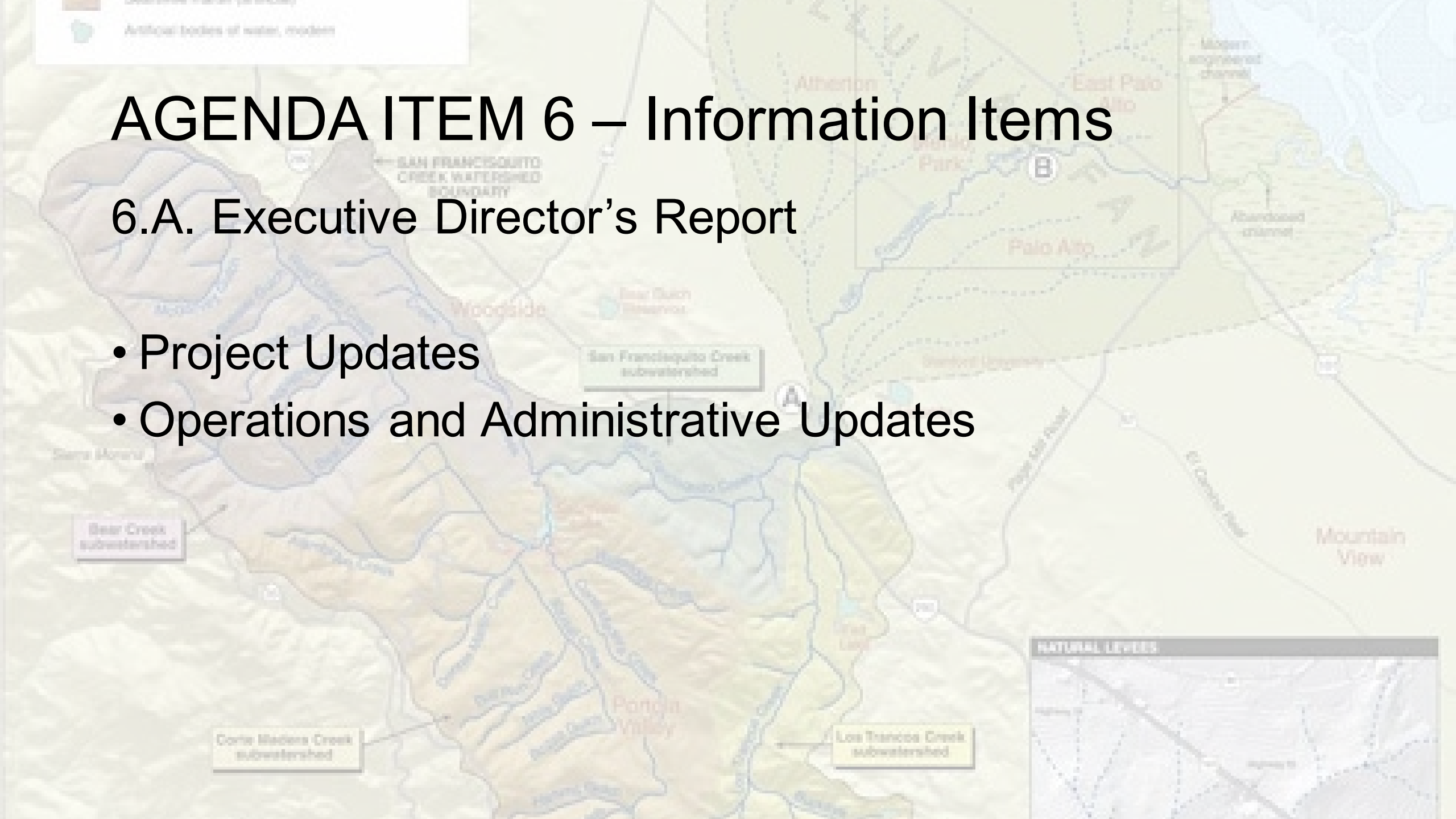


Artificial bodies of water, modern

# AGENDA ITEM 6 – Information Items

## 6.A. Executive Director's Report

- Project Updates
- Operations and Administrative Updates







# Agenda Item 8

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## ADJOURNMENT



Photo Credit: Mark Dinan.  
December 10, 2023