



SAN FRANCISQUITO CREEK
JOINT POWERS AUTHORITY
SFCJPA.ORG

**Notice of Regular Meeting of the
BOARD OF DIRECTORS
City of Menlo Park Council Chambers
701 Laurel Street, Menlo Park, California
January, 24, 2019 at 3:30 p.m.**

AGENDA

1. ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF MEETING MINUTES: November 14, 2018 Special Board meeting
4. PUBLIC COMMENT – *Individuals may speak on any topic for up to three minutes; during any other Agenda item, individuals may speak for up to three minutes on the subject of that item.*
5. REGULAR BUSINESS – Executive Director’s Report
 - a. Board organization: confirm officer positions and membership on committees
 - b. The storm of January 16 and 17, 2019: brief discussion
 - c. S.F. Bay-Highway 101 project: discuss project completion
 - d. Upstream of Highway 101 project update
6. BOARD MEMBER COMMENTS – *Non-agendized requests or announcements; no action may be taken.*
7. ADJOURNMENT

PLEASE NOTE: This Board meeting Agenda and supporting documents related to items on the Agenda can be viewed online by 3:30 p.m. on January 21, 2019 at sfcjpa.org -- click on the “Meetings” tab near the top.

NEXT MEETING: Regular Board meeting, February 28, 2019 at 3:30 PM, City of East Palo Alto Council Chambers

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Director Kremen called the meeting to order at 4:35 p.m. at the City of Menlo Park Council Chambers, Menlo Park, California.

DRAFT

1) ROLL CALL

Members Present: Director Kremen, Santa Clara Valley Water District (SCVWD)
Director Abrica, City of East Palo Alto
Director Pine, San Mateo County Flood Control District (SMCFCD)
Director Scharff, City of Palo Alto

Members Absent: Director Keith, City of Menlo Park

JPA Staff Present: Len Materman, Executive Director
Kevin Murray, Staff
Tess Byler, Staff
Miyko Harris-Parker, Staff

Others Present: Dennis Parker, East Palo Alto resident; Trish Mulvey, Palo Alto Resident;
Jerry Hearn, Portola Valley Resident; Justin Murphy, City of Menlo Park;
Fariborz Heydari, City of Menlo Park; Michel Jeremias, City of Palo Alto;
Hope Abe, SCVWD; Saeid Hosseini, SCVWD; Bill Springer, SCVWD;
Ann Stillman, SMCFCFCD

2) APPROVAL OF AGENDA

Director Abrica made a motion to approve the agenda. Director Pine seconded. Agenda approved 4-0. Director Keith not present.

3) APPROVAL OF BOARD MEETING MINUTES: OCTOBER 25, 2018 REGULAR BOARD MEETING

Director Pine made a motion to approve the October 25, 2018 Regular Board meeting minutes. Director Scharff seconded. October 25, 2018 Regular Board meeting minutes approved 4-0. Director Keith not present.

4) PUBLIC COMMENT

None.

5) REGULAR BUSINESS

S.F. Bay-Highway 101 project: discuss status, and December 14 Celebration of Safety

Mr. Materman provided the Board with the latest updates on the S.F. Bay-Highway 101 project highlighting that the flood protection features of the project are completed, that in December the Friendship Bridge and new boardwalk will be open for public use, and that marsh restoration activities will resume in January. Mr. Materman noted that a new operations and maintenance agreement will be needed by July. Director Kremen and Director Scharff asked Mr. Materman to send all Board members the photos presented in his PowerPoint.

Mr. Materman provided details of the planned Celebration of Safety to commemorate the long-awaited realization of flood protection from the Bay to Highway 101, and to connect this project to our upcoming projects upstream and along the Bay. Mr. Materman stated that the celebration will take place at the Friendship Bridge on Friday, December 14, 2018 at 10:30 a.m. Mr. Materman shared with the Board that Rep. Jackie Speier, Rep. Anna Eshoo, SFCJPA Board Chair Gary Kremen, East Palo Alto Mayor and SFCJPA Board member Ruben Abrica, East Palo Alto resident Dennis Parker, US Fish & Wildlife Service Refuge Bay Area Manager Anne Morkill

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have all been invited to speak at the event. Mr. Materman stated that press will be invited to the event and that another event to coincide with Palo Alto's Earth Day celebration in April will focus on the recreational and environmental aspects of the project.

Upstream of Highway 101 project update

Mr. Materman provided an update on the Upstream of Highway 101 Project, stating that the Administrative Draft Environmental Impact Report (ADEIR) is expected in late December and a public Draft EIR will come out following review by our agency partners. Mr. Materman reported that the current funding shortfall for this project plus the previously discussed Bay-Highway 101 project is estimated at \$12.8 million out of the \$110.5 million cost of both projects.

Director Pine asked what the current estimated upstream costs were for the preferred alternative. Mr. Materman explained that if we include Newell Bridge, which is a separate project for which 88.5% of the costs have thus far been provided by Caltrans, it is about \$35 million. Mr. Materman further explained that the alternative includes the replacement of Newell Bridge and Pope-Chaucer Bridge, widening (by removing concrete in the channel) between University Avenue and Euclid, between Newell and University, and at West Bayshore Road to take advantage of the new 4th bore under that road and Highway 101.

Director Abrica asked for the status of the Newell Bridge EIR. Michel Jeremias, City of Palo Alto, replied that city staff has a copy of the Administrative Draft EIR and is reviewing it. Ms. Jeremias said that the staff would like to release the draft early next year after legal review.

Discuss emergency preparedness for the upcoming winter

Mr. Materman reported on expected rainfalls, noting that above average rains are expected between now and mid-December, with an average amount of rain expected for the remainder of the winter. Mr. Murray provided a summary of the annual maintenance walk that took place in September, reporting that all items of concern have been removed from the channel.

Mr. Materman stated that the SFCJPA's Flood Early Warning System is up and running, and that the Palo Alto creek camera should be up and running by the time the rains start. Director Kremen asked how many people are signed up for the early warning system alerts. Mr. Materman stated that there are over 1,000 signed up for text or email alerts. Mr. Materman reported that the San Francisquito Creek Multi-Agency Coordination will have its annual meeting on December 4 and will include a tabletop exercise and updates on our flood protection improvements since the last such meeting a year ago.

Mr. Materman introduced Alex Gordon, SCVWD emergency services manager, who spoke briefly on the SCVWD's winter preparedness. Mr. Gordon noted that the SCVWD had a winter preparedness workshop on October 25. Director Kremen asked for a status on sandbag locations. Mr. Gordon replied that the SCVWD has a lot of sandbags available.

Dennis Parker, East Palo Alto Resident, expressed his concerns on the availability of sandbags, explaining it is his understanding that in previous years the sandbag location at the Palo Alto Airport required identification to prove Palo Alto residency in order to get sandbags. Director Scharff expressed his concern and asked Mr. Materman to see to it that this issue is resolved. Mr. Murray explained that it might have been private citizens trying to regulate the distribution of sandbags. Director Kremen suggested the SFCJPA work on a policy to eliminate this issue from occurring again. Mr. Materman committed to working with the agencies to resolve this issue.

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Trish Mulvey, Palo Alto resident, asked about the relationship between the terms we use to describe creek flow and capacity (i.e. cubic feet per second (cfs) and percentage of channel capacity) in regards to when notifications or actions are called for during an event. Mr. Materman responded that while the percentage of capacity correlates to cfs, when making decisions about notifications the SFCJPA's early warning system uses the percentage of capacity rather than cfs or flood stage because this can be communicated more easily and our understanding of the hydrology changes over time. Mr. Materman stated that he'll plan to discuss this at an upcoming Board meeting.

Hope Abe, staff lead in SCVWD's Community Outreach Team, provided a brief summary of the winter preparedness outreach being completed by the SCVWD and its partners in the SFCJPA. Ms. Abe stated that a flyer with information on flooding, our flood protection projects, sandbags, and insurance is being sent to residents and businesses in Palo Alto, East Palo Alto and Menlo Park. Director Kremen asked that staff ensure the flyer is being sent to residents as well as the property owners.

6) BOARD MEMBER COMMENTS

On behalf of the entire Board and staff, Director Kremen thanked Director Scharff for his dedication and work on behalf of the SFCJPA. Director Scharff was presented with a personalized SFCJPA umbrella, and sincere gratitude for his work to help the agency, especially with project funding and with the BCDC and Regional Water Board permits. Mr. Materman also thanked Director Scharff for his service and Director Scharff's outspoken support that helped the SFCJPA complete the S.F. Bay-Highway 101 construction project. Director Scharff gave his thanks to the Board and staff and members of the public and expressed the joy he had in serving on the SFCJPA Board.

Mr. Materman shared the upcoming events with the Board:

- December 7, 2018, Stanford University's Lagunita Dam removal project tour;
- December 14, 2018, SFCJPA's Celebration of Safety at the Friendship Bridge; and
- January 24, 2019, 3:30 p.m. in Menlo Park Council Chambers, the next SFCJPA Board meeting.

7) ADJOURNMENT

Director Kremen adjourned the meeting at 5:45 pm.

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

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Executive Director's Report

With the help of Kevin Murray, Tess Byler, and Miyko Harris-Parker, I am pleased to submit the following:

a. Board organization: confirm officer positions and membership on committees

Early in each calendar year, the Board appoints individual Board members to fill officer positions and positions on Board committees. The positions of Chair and Vice Chair have historically been two-year terms. In January 2018, Gary Kremen took over as Chair and Ruben Abrica began serving as Vice Chair-Secretary, positions they customarily would hold until early 2020.

Board service on committees has been a one-year renewable term, and thus committee assignments should now be updated. In 2018, committee memberships, including Board members Kirsten Keith and Greg Scharff who are no longer on the SFCJPA Board, were as follows:

2018 Board committees and membership

Finance: Dave Pine and Kirsten Keith

Personnel: Ruben Abrica and Greg Scharff

Emergency Preparedness: Gary Kremen and Ruben Abrica

Purposes, Roles and Responsibilities: Full Board

ACWA/JPIA Board: Ruben Abrica, and alternate Miyko Harris-Parker

The role of the Finance Committee is to discuss and then present to the full Board the annual operating budget and audit. The Personnel Committee initiates, and acts as the SFCJPA representatives for the annual performance evaluation of the Executive Director – the last review occurred in late 2017 and thus the next one should occur as soon as possible. The role of the Emergency Preparedness Committee is to provide direction on this issue and bring related items to the full Board. The Purposes, Roles and Responsibilities Committee recommends changes to the agency's founding Joint Powers Agreement. The Association of California Water Agencies Joint Powers Insurance Authority, which provides benefits to SFCJPA employees, requires that our Board appoint a representative to the ACWA/JPIA Board. In 2018, Ruben Abrica served as the SFCJPA representative, and our alternate was SFCJPA Finance and Administration Manager Miyko Harris-Parker.

Proposed Board action: Appoint a Chair, Vice Chair, membership on Board committees, and a representative to the ACWA/JPIA.

b. The storm of January 16 and 17, 2019: brief discussion

At the last regular Board meeting on November 15, 2018, we discussed our emergency preparedness activities for this Winter, including the maintenance walk and debris removal within the Creek we do each fall, the year-round maintenance of our Flood Early Warning System (sfcjpa.org/floodwarning), and the December 4 San Francisquito Creek Multi-Agency Coordination tabletop exercise to improve our collective readiness for emergency events. These activities, combined with the completion of our S.F. Bay-Highway 101 project that is the subject of the next agenda item, helped us to be ready for the first "atmospheric river" of this winter season, which arrived in the Bay Area on January 16. The day before this storm, the National Weather Service issued a Flash Flood Watch for the entire Bay Area and a Flood Advisory for several specific communities, including Palo Alto. Although our watershed experienced substantial precipitation (the southernmost rain gauge registered over 4.9" of rain), the maximum combined flow in the upper watershed reached a relatively modest 1,006 cubic feet per second (cfs), which is less than one-third the amount that would cause us to issue a flood watch alert through the early warning system. At the January 24 Board meeting, we will discuss what we observed during this storm.

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c. S.F. Bay-Highway 101 project: discuss project completion

As described last month, we have completed construction of the flood protection features of our project along San Francisquito Creek from S.F. Bay to Highway 101, which include a new marsh within a much wider channel, and new levees and floodwalls. The City of East Palo Alto has completed its installation of a trash capture device at the O'Connor Pump Station outfall, and creekside trails are now open (though they may close again, as needed, to complete finishing work). A Celebration of Safety held on December 14, 2018 by the Friendship Bridge was well attended and received extensive media coverage (see sfcjpa.org for examples of the TV and print coverage).

On December 17, staff from the SFCJPA, SCVWD, and cities of East Palo Alto and Palo Alto conducted a walk-through of the project and then prepared a list of actions to be included within a "punch list" of project elements to be completed by the levee and floodwall contractor, Teichert Construction, under its contract with the SCVWD. Teichert will work on punch list items over the next month, weather permitting.

Meanwhile, work on the installation of restoration and predator deterrent features in and around the Faber Tract marsh is scheduled for completion before the February 1 onset of the Ridgway's Rail nesting season. In February, we intend to install the signage required by our regulatory permits. Next week, the SCVWD plans to ask prequalified contractors to submit bids for a contract to plant portions of the new in-channel marsh in April of this year.

As part of the Martin Luther King Day of Service on January 21, the nonprofits Canopy and Grassroots Ecology are organizing volunteers to plant the O'Connor Street, Daphne Way, and Verbena Drive entrances to the new San Francisquito Creek Trail within East Palo Alto. Interested volunteers should meet at 9:00 a.m. at MLK Park on Daisy Lane in East Palo Alto.

The SFCJPA has received the final disbursement of funds for construction of the project from the CA Department of Water Resources (DWR) from our Proposition 1E grant, and the grant agreement is closed. The SFCJPA is responsible for 3 years of annual inspections and post-project reporting to DWR.

SFCJPA staff continue to work on our agreement with DWR for a Proposition 84 grant through the Association of Bay Area Governments, which is now part of the Metropolitan Transportation Commission. Our objective in this amendment is to be able to – at once – demonstrate our required match of \$12,747,949 and secure the entire grant, which will provide \$3,982,351 towards project costs.

As discussed at many previous Board meetings, total project costs are now being finalized and construction costs in excess of the amount established in the 2016 six-party Construction Funding Agreement have been significantly reduced from initial estimates. I have begun discussions with staff at our partner agencies to deal with costs associated with the project's construction and long-term monitoring, reporting, and maintenance. Additionally, a revised Operations and Maintenance Manual was circulated to public works staff at Palo Alto and East Palo Alto and their comments are now being incorporated.

d. Upstream of Highway 101 project update

On January 3, our environmental consultant on this project, ICF, delivered to me the Administrative Draft Environmental Impact Report (ADEIR) following months of work by ICF staff and staff at the SFCJPA and SCVWD. The ADEIR is for internal review by the Lead Agency under CEQA – in this case, the SFCJPA. On that date, I forwarded the ADEIR to member agency staff for their review and comment by the end of January. After incorporating any edits and comments, we plan to release the Draft Environmental Impact Report to the public for a 60-day comment period beginning in late February. This could be delayed if substantial changes are requested by staff at our partner agencies, though I am working to keep to this schedule to maintain the possibility that we may begin construction in 2020.

The Draft EIR begins with an analysis of 17 alternatives proposed either by the SFCJPA or by members of the public and regulatory agencies. We seek to move forward with a project that provides a meaningful level of flood protection and other benefits, and the construction of which is achievable in the near term.

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To receive public comments on our Draft EIR, in March and April we plan to host a public meeting in each of our three cities and make a presentation to each City Council, if requested. At one of these public meetings, we intend to include staff from the U.S. Army Corps of Engineers, so that they may also receive public comment on the Corps' related federal Feasibility Study and Environmental Impact Statement (EIS), which we hope will be released for public review as an integrated document shortly after our Draft EIR. This will preserve the potential for funding for project construction from the Corps without eliminating or delaying our ability to move forward independent of the Corps.

In that regard, we have continued to evaluate and apply for other potential construction funding sources, including FEMA's Hazard Mitigation Grant Program. The SFCJPA and SCVWD recently worked together to prepare two applications requesting a total of \$8 million for construction funding between University Avenue and the Pope-Chaucer Bridge. Securing necessary funding for this project, as well as securing the necessary permits and land rights to enable construction to begin in the summer of 2020, will be a primary focus of the SFCJPA's activities throughout this year.

Submitted by:



Len Materman
Executive Director