



SAN FRANCISQUITO CREEK  
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**Notice of Regular Meeting of the  
BOARD OF DIRECTORS  
City of Menlo Park Council Chambers  
701 Laurel Street, Menlo Park, California  
October 26, 2017 at 3:30 p.m.**

AGENDA

1. ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF MEETING MINUTES: September 28, 2017 Regular 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. S.F. Bay-Highway 101 project: discuss construction activities and planning
  - b. Upstream of Highway 101 project: update on EIR and discuss recent public workshops and bus tour
  - c. Discuss emergency preparedness for the upcoming winter season
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 October 23, 2017 at [sfcjpa.org](http://sfcjpa.org) -- click on the “Meetings” tab near the top.

**NEXT MEETING:** Regular Board meeting, November 16, 2017 at 3:30 PM, City of East Palo Alto Council Chambers

**San Francisquito Creek Joint Powers Authority**  
**October 26, 2017 Regular Meeting of the Board**  
**Agenda Item 3**  
**September 28, 2017 Board Meeting Minutes**

Director Pine called the meeting to order at 3:39 p.m. at the City of Palo Alto Council Chambers, Palo Alto, California.

DRAFT

**1) ROLL CALL**

Members Present: Director Pine, San Mateo County Flood Control District (SMCFCD)  
Director Abrica, City of East Palo Alto  
Director Keith, City of Menlo Park (Not present at roll call)  
Director Kremen, Santa Clara Valley Water District

Members Absent: Director Scharff, City of Palo Alto

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

Legal Present: Trisha Ortiz

Others Present: Trish Mulvey, Palo Alto resident; Dennis Parker, East Palo Alto resident; Jerry Hearn, Portola Valley resident; Jim Wiley, Menlo Park resident; Xenia Hamner, Palo Alto resident; Russell Chen, Santa Clara Valley Water District; Saeid Hosseini, Santa Clara Valley Water District; Kamal Fallah, City of East Palo Alto; Ann Stillman, San Mateo County Flood Control District; Christina Egerstrom, Stanford journalism student

**2) APPROVAL OF AGENDA**

Director Abrica made a motion to approve the agenda. Chairperson Pine seconded. Agenda approved 3-0. Director Keith not present at time of approval. Director Scharff not present.

**3) APPROVE BOARD MEETING MINUTES: AUGUST 24, 2017 REGULAR BOARD MEETING**

Director Kremen made a motion to approve the August 24, 2017 Regular Board meeting minutes. Director Abrica seconded. August 24, 2017 Regular Board meeting minutes approved 3-0. Director Keith not present at time of approval. Director Scharff not present.

**4) PUBLIC COMMENT**

Mrs. Trish Mulvey, Palo Alto resident, voiced her thanks to the SCVWD for the San Francisquito Creek Emergency Action Plan. Mrs. Mulvey noted that there are improvements that need to be made to the plan as the SFCJPA and other agencies critical to local emergency response were not mentioned in the plan. Mrs. Mulvey spoke about the Community Rating System (CRS) and asked if there would be a SFCJPA Emergency Preparedness Committee meeting at which a discussion on watershed participation in the CRS can occur.

Director Kremen expressed his concern that the SCVWD Emergency Action Plan was produced without communication with the SFCJPA. Director Abrica concurred with the concerns of Mrs. Mulvey and Director Kremen regarding the Emergency Action Plan. Director Abrica stated that communication between the agencies has improved greatly in recent years, noting the importance of working together to ensure that public information is consistent and accurate.

Chairperson Pine suggested that SFCJPA staff meet with the SCVWD to discuss the issue.

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**5) REGULAR BUSINESS**

S.F. Bay-Highway 101 project: discuss construction activities and planning

Mr. Materman provided the Board with an update on the Bay- Highway 101 project activities.

Director Keith arrived at 3:56 pm.

Director Kremen asked if the temporary transition area from completed work to next year's work is as strong as levee protection. Mr. Murray replied that the transition was designed by our engineering consultant and is composed of levee fill, so it will provide levee protection.

Director Keith asked if residents who do not live in Santa Clara county are able to sign up to receive the email communications sent out by the SCVWD. Director Keith expressed her concern that residents in the project area may not be receiving information. Russell Chen, SCVWD, said that he would look into the issue.

Mr. Jim Wiley, Menlo Park resident, said that he was receiving the SCVWD emails until about six months ago. Mr. Wiley is not sure why he stopped receiving the communications noting that there is no auditing of the communication process to ensure the information is reaching all affected parties.

Director Abrica shared that he had an opportunity to visit the project site and witness the floodwall installation. Director Abrica expressed how it feels after almost twenty years since the major flood to have a certain level of protection for the City of East Palo Alto for the first time ever in the history of the city. Director Abrica continued saying that a lot of progress has been made and that he is proud of everyone for coming together over the years and thanked everyone for their contributions up to this point.

Mr. Dennis Parker, East Palo Alto resident, concurred with Director Abrica's comments regarding the progress. Mr. Parker on behalf of the residents in the Gardens neighborhood thanked everyone for the progress to date. Mr. Parker asked about the status of the early warning system updates and improvements.

S.F. Bay-Highway 101 project: authorize the Executive Director to execute an Agreement with the Association of Bay Area Governments/San Francisco Estuary Partnership to receive \$4,082,351 in Proposition 84 Integrated Regional Water Management funds from the California Department of Water Resources

Mr. Materman asked the Board to authorize him to execute an Agreement with the Association of Bay Area Governments/San Francisco Estuary Partnership to receive \$4,082,351 in Proposition 84 Integrated Regional Water Management funds from the California Department of Water Resources. Mr. Materman noted that the existing contingency to cover unanticipated Bay-Highway 101 project expenses is \$2,638,800.

Director Keith made a motion to authorize the Executive Director to execute an agreement with the Association of Bay Area Governments/San Francisco Estuary Partnership to receive \$4,082,351 in Proposition 84 Integrated Regional Water Management funds from the California Department of Water Resources. Director Abrica seconded. Motion to authorize the Executive Director to execute an agreement with the Association of Bay Area Governments/San Francisco Estuary Partnership to receive \$4,082,351 in Proposition 84 Integrated Regional Water Management funds from the California Department of Water Resources approved 4-0. Director Scharff not present.

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S.F. Bay-Highway 101 project: authorize the Executive Director to execute a contract for \$471,778 with Hanford Applied Restoration & Conservation to construct marsh restoration features

Mr. Materman asked the Board for authorization to execute a contract for \$471,778 with Hanford Applied Restoration & Conservation to construct marsh restoration features.

Director Kremen asked if the project could be completed by local non-profit conservation groups. Mr. Murray noted that local non-profit groups are doing mitigation work on this project, but he explained that this contract is for large scale public works activities and thus we were advised to bid the contract out to licensed contractors. Mr. Murray noted that maintenance was removed from this contract, and maintenance can be done by any group that has the capacity to do the work, which would include a non-profit conservation group.

Director Keith made a motion to authorize the Executive Director to execute a contract for \$471,778 with Hanford Applied Restoration & Conservation to construct marsh restoration features with some unanticipated costs subject to the funding with ABAG. Chairperson Pine seconded. Motion to authorize the Executive Director to execute a contract for \$471,778 with Hanford Applied Restoration & Conservation to construct marsh restoration features with some unanticipated costs subject to the funding with ABAG approved 4-0.  
Director Scharff not present.

Upstream of Highway 101 project update and discussion of public workshops planned for October 4 and October 25 and a tour of potential project sites on October 14.

Mr. Materman provided an update on the project status upstream of Highway 101. Director Keith asked where the bypass culverts could be located. Mr. Materman responded saying that the bypass culverts would be located either: along Woodland Road in East Palo Alto, along Seneca Street and Hamilton Avenue in Palo Alto, or down Willow Road beginning at Middlefield Road and ending at the Bay.

Director Keith asked about recreation efforts with the upstream project. Mr. Materman explained that recreation related actions would pertain to trails and that the features will be designed with an eye towards enabling people to utilize trails and creating creekside pocket parks. Director Keith requested that the recreation be agendaized as a separate item for further discussion. Director Kremen concurred.

Director Kremen asked if we should ask residents if they are interested in undergrounding utilities. Director Keith concurred and suggested that staff ask residents at the October workshops. Director Kremen asked staff to look into and bring back this item for future discussion.

Director Keith quoted from an email that she recently received, which was written by Menlo Park resident Jim Wiley in which Mr. Wiley claimed that Mr. Materman stated that the SFCJPA is studying and favors building floodwalls, despite opposition to that alternative by many Menlo Park residents. Director Keith asked Mr. Materman if he made such statement. Mr. Materman stated that he does not believe he has ever said that he favors floodwalls or that floodwalls are the preferred alternative. Mr. Materman explained that the EIR must have a robust and defensible analysis and we cannot exclude from that analysis a reasonable range of technical feasible alternatives, one of which is floodwalls. Director Keith thanked Mr. Materman for his response, and stated that she wants this process to be transparent and would like to see something on the website that lists the alternatives and explains why we must study floodwalls – so that the EIR is not subject to a challenge for not studying them.

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Mr. Materman provided a synopsis of how the public was notified about the October workshops and bus tours. Mr. Materman stated that the SCVWD sent a flyer in English and Spanish through the U.S. Mail to 7,186 properties; and email blasts announcing the workshops were sent by the SCVWD, SFCJPA, City of Menlo Park (through its Council digest email), Trish Mulvey to the Duveneck/St. Francis Neighborhood Association, and Tom Rindfleisch to the Crescent Park Neighborhood Association. Additionally, Nextdoor.com notices were posted by the SCVWD to eleven Palo Alto neighborhoods, as well as by the cities of Menlo Park and Palo Alto, and Dennis Parker; Twitter and Facebook social media was done by the City of Menlo Park, Menlo Police Department and SCVWD; the notice was posted on the SFCJPA website, the City of East Palo Alto website, and SCVWD is updating their website as well.

Mr. Materman and Mr. Murray referred back to Director Keith's question in agenda item 5a regarding how any resident can to receive SCVWD alerts regarding the project. Mr. Murray showed how, online, any individual can sign up to receive project-related information from the SCVWD via email and social media (<http://www.valleywater.org/SCW-E5.aspx>).

Director Keith left at 5:17 pm.

Director Kremen stated that the SCVWD will do what needs to be done to protect as many people as possible.

Director Abrica asked about an update on the Newell Road bridge and the status of the EIR. Michel Jeremias, City of Palo Alto Public Works staff, responded saying that the EIR is currently being worked on and it is planned that the Draft EIR will be released this Winter.

Mr. Jerry Hearn, Portola Valley resident, commented that issues are getting clearer on potential upstream detention at Searsville and he urged having a Stanford representative present at the October 4<sup>th</sup> workshop to talk about current numbers on possible detention. Mr. Materman noted that there have been conversations with Stanford to have a representative at the workshop on October 4th. Mr. Materman noted that Stanford has provided some technical information over the summer to help us understand the technical feasibility of three sites above Highway 280.

Mr. Dennis Parker spoke about the historical issues of mailings for project-related events noting that there were a lot of errors in previous years. Mr. Parker said that he was happy to be a part of correcting past information and suggested that the Board and SFCJPA member agencies use the knowledge of residents to help audit the current databases being used.

Mr. Jim Wiley asked that the Board extend the RSVP deadline for the bus tour beyond tomorrow. Mr. Materman said that the deadline can be extended a few more days.

**6) BOARD MEMBER COMMENTS**

None.

**7) ADJOURNMENT**

Chairperson Pine adjourned the meeting at 5:38 pm.

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

**San Francisquito Creek Joint Powers Authority**  
**October 26, 2017 Board Meeting**  
**Agenda Item 5**  
**Executive Director's Report**

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

**a. S.F. Bay-Highway 101 project: discuss construction activities and planning**

Since construction began in the summer of 2016, we have discussed construction activities for our project to improve public safety and recreation, and increase marsh habitat, along San Francisquito Creek from the Bay to Highway 101.

The SFCJPA, Santa Clara Valley Water District (SCVWD), and cities of Palo Alto and East Palo Alto continue to meet weekly with the SCVWD's levee and floodwall contractor (Teichert Construction) to coordinate construction activities, work sequencing, and permit compliance. Additionally, the SFCJPA continues to coordinate utility relocation with those entities, the City of Palo Alto's Golf Course project, PG&E, and the East Palo Alto Sanitary District (EPASD).

The following summarizes activities since the last Board meeting or planned for the rest of 2017:

- The diversion system installed to bypass water around the Creek and Highway 101 construction sites, aided by the use of a wet well at the City of Palo Alto Pump Station, has now been removed. The channel was made ready for the wet season and is now open to active flow in compliance with federal, state, and local requirements.
- The contractor has installed approximately 85% of the total length of sheet pile floodwalls with concrete cap, which when 100% complete will extend from East Bayshore Road to Geng Road on the Palo Alto side, and from East Bayshore Road to Daphne Way on the East Palo Alto side.
- Tie-in features designed by the SFCJPA's design consultant to connect the new floodwalls to the existing levees have been built. These features will provide interim flood protection this winter in the gaps between this year's and next year's in-channel work, which will resume in June 2018.
- Excavated material from both sides of the creek that are suitable for levee fill, along with new levee fill material imported to the site, are now being used to construct the new levee on the Palo Alto side on former Palo Alto Golf Course land.
- PG&E has completed the cross-creek portion of their new gas transmission pipeline, with tie-in to the pipeline adjacent to our project scheduled for mid-November. PG&E will then immediately begin to remove portions of their abandoned gas line that is outside the existing channel and next year Teichert will remove the remaining portions of the abandoned line.
- Teichert has degraded the berm that separates the creek from the outer Faber Tract north of the Palo Alto Airport runway.
- Hanford ARC, contractor to the SFCJPA, will begin installation of habitat restoration features in the Faber Tract and outer Faber Tract upon execution of a contract with the SFCJPA. At its last meeting, the SFCJPA Board authorized me to execute this contract once the funding agreement to cover these costs is signed with the Association of Bay Area Governments (ABAG).
- The SFCJPA has secured FAA clearance for installation of piles to support the new Friendship Bridge extension, and setback levee on the Palo Alto side, so that work on these features can begin in 2017, ahead of schedule. We continue to work with Airport management to minimize the impacts of construction activities on Airport operations.
- East Palo Alto Sanitary District has completed installation of its new sewer line, and is currently installing a new recycled water line under the creek. EPASD now estimates that they will complete all of their work by early November and ahead of schedule.

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- As discussed at previous Board meetings, costs associated with the import and export of levee fill material and the coating of sheet piles have the potential to significantly affect project costs. While we continue find suitable import material and to seek locations for export material to reduce costs, this issue – along with other potential claims and change orders by Teichert – may increase construction costs beyond the contingency amount established in Amendment 1 to the six-party Construction Funding Agreement. SCVWD, SFCJPA and member agency staff have initiated discussions on strategies to address this issue.
- Caltrans has completed its in-channel work on the Highway 101 bridge replacement project and has removed its diversion system components, opening the channel to flow in compliance with federal, state and local requirements. Additional work on the bridge structure that does not impact the channel is currently taking place and will continue into early 2018.

**b. Upstream of Highway 101 project: update on EIR and discuss recent public workshops and bus tour**

As discussed at previous Board meetings, the SFCJPA continues to move forward with project planning and environmental documentation for a capital project upstream of Highway 101.

Over the last month, we continued to work with our Environmental Impact Report (EIR) consultants, SCVWD staff, and Stanford University and its consultants, to more precisely refine and define project alternatives, and their temporary and permanent impacts. Our objective is to move forward with a project that is meaningful to – and supported by – our communities, and achievable in the near future within the constraints of regulatory permits, land, and funding.

The SFCJPA and our partners are committed to continuing a robust process to engage the general public and stakeholders in order to identify the project alternative that best meets the needs of local communities. The SFCJPA continued work with the Center for Collaborative Policy at Sacramento State University on stakeholder workshops. The objectives of the workshops and a bus tour of potential project sites, include:

- update participants on the results of the EIR scoping process in early 2017 and on the progress of the EIR's analysis of project alternatives, impacts and constraints,
- enable participants to assess and brainstorm feasible alternatives,
- invite stakeholder presentations on feasible alternatives, and
- seek the advice of participants to ensure successful project implementation.

Feedback from participants is informing the development of our Draft EIR so that the proposed project matches the interests of stakeholders and is the Least Environmentally Damaging Practicable Alternative (LEDPA), a determination that is a requirement of federal and state permits.

The first workshop was held on October 4 in Menlo Park, and a bus tour of potential project sites in the floodplain area was held on October 14. These events were publicized via a mailed bilingual flyer sent out by the SCVWD; e-mail and online communication by the SFCJPA, SCVWD, cities and individuals; and Nextdoor announcements posted by agencies and individuals.

The final stakeholder workshop will occur:                      Wednesday, October 25  
6:00 p.m. Open House, 6:30-9:00 p.m. Workshop  
Palo Alto Art Center Auditorium  
1313 Newell Road, Palo Alto

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At the October 26 Board meeting, I will summarize the key outcomes from the October 4, October 14, and October 25 public gatherings.

As was discussed at the last Board meeting on September 28, the SFCJPA is continuing its partnership with the U.S. Army Corps of Engineers to obtain from the Corps the federally preferred project alternative (called the National Economic Development, or NED, Plan) and benefit-to-cost ratio of that alternative. We anticipate receiving written information on the NED plan by early November, after which we will discuss with the SFCJPA Board the costs and benefits of continuing to move forward with the Corps.

**c. Discuss emergency preparedness for the upcoming winter season**

Since 2001, the SFCJPA has organized an annual maintenance walk within the Creek channel, during which staff from the SFCJPA, member agencies, and Stanford identify downed trees and other large debris that could obstruct flows and thus pose a threat to public safety during large winter storm events. Items that need attention are tagged and assigned to the appropriate agency for removal or modification. This year's Annual Maintenance Walks took place on September 6 and 7.

In anticipation projected El Niño storms, in September and October of 2015 the SFCJPA and member agencies were more aggressive in our maintenance activities than in preceding years, and removed more debris and vegetation from the channel than usual. Because of these actions, and due to the large flows experienced in early 2017 and Caltrans' removal of debris at the upstream face of West Bayshore Road, we encountered far less debris than usual during last month's maintenance walk. SFCJPA staff developed a spreadsheet of items encountered during this year's walk and assigned actions to member agency staff. We have requested that agencies report back on their progress to complete these actions, and I will update the Board on the status of this work.

At the last Board meeting in September, during public comment Trish Mulvey raised a question about the SCVWD's update to its Emergency Action Plan for San Francisquito Creek, and Board members requested that SFCJPA staff seek more information. Since the last Board meeting, I spoke with the SCVWD staff working on this plan, and SCVWD staff committed to working with the San Francisquito Creek Multi-Agency Coordination (SFC MAC) process, including the SFCJPA and Palo Alto's Emergency Services, as the SCVWD finalizes the update of its Plan. In the future, the SFC MAC may incorporate ideas within the SCVWD's updated Plan.

The City of Palo Alto hosted a training session for Emergency Services Volunteers on Oct. 22, and on October 26 from 6:00-7:30 p.m. the City of Palo Alto and the City of East Palo Alto are hosting a training on the National Weather Service Skywarn Spotter Program and how to work with local public safety agencies. Also on October 26, the SCVWD is hosting its annual winter forecast briefing with the National Weather Service. All of the above activities will be discussed at the October 26 Board meeting.

Submitted by:



Len Materman  
Executive Director