



SAN FRANCISQUITO CREEK
JOINT POWERS AUTHORITY
SFCJPA.ORG

**Notice of Regular Meeting of the
BOARD OF DIRECTORS
City of Palo Alto Council Chambers
Palo Alto, California
December 14, 2017 at 3:30 p.m.**

AGENDA

1. ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF MEETING MINUTES: November 16, 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
 - c. Discuss the 2018 schedule of Regular meetings of the Board of Directors
6. CLOSED SESSION: Performance Evaluation of Executive Director pursuant to Government Code Section 54957
7. CLOSED SESSION: Conference with Labor Negotiators pursuant to Government Code Section 54957.6
SFCJPA Designated Representatives: Ruben Abrica & Greg Scharff, Unrepresented Employee: Executive Director
8. BOARD MEMBER COMMENTS – *Non-agendized requests or announcements; no action may be taken.*
9. 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 December 11, 2017 at sfcjpa.org -- click on the “Meetings” tab near the top.

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Director Pine called the meeting to order at 3:42 p.m. at the City of East Palo Alto Council Chambers, East 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 Kremen, Santa Clara Valley Water District

Members Absent: Director Keith, City of Menlo Park
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: Greg Stepanicich

Others Present: Trish Mulvey, Palo Alto resident; Dennis Parker, East Palo Alto resident;
Jerry Hearn, Portola Valley resident; Michel Jeremias, City of Palo Alto;
Russell Chen, Santa Clara Valley Water District; Kamal Fallah, City of
East Palo Alto; Anne Stillman, SMCFCD

2) APPROVAL OF AGENDA

Director Abrica made a motion to approve the agenda. Director Kremen seconded. Agenda approved 3-0. Director Keith and Director Scharff not present.

3) APPROVE BOARD MEETING MINUTES: OCTOBER 26, 2017 REGULAR BOARD MEETING

Director Abrica made a motion to approve the October 26, 2017 Regular Board meeting minutes with suggested edit. Director Kremen seconded. October 26, 2017 Regular Board meeting minutes approved 3-0 with suggested edit. Director Keith and Director Scharff not present.

4) PUBLIC COMMENT

None.

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.

Chairperson Pine requested an update on the costs related to the contractor disputes. Mr. Materman reported that there had been a recent conversation between the project team, the levee contractor, and the City of Palo Alto regarding soil placement in and near the project site, noting that the issue of importing soil has been resolved but that the exporting of soil has not been resolved. Mr. Materman explained that the costs associated with the disputes are currently unknown but that every effort is being made to keep any extra costs within the confines of the contingency and grant funds. Chairperson Pine verified that a dispute related to the use of corrugated floodwalls had been settled.

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Mr. Materman concurred acknowledging that there are approximately \$1.2 million in known additional costs related to the coating of floodwalls.

Dennis Parker, East Palo Alto resident, spoke about the early rains and the lack of preparation from the member agencies for the early rains highlighting that there were no sand bags made available and that the sand bag site itself had been flooded. Mr. Parker also spoke about the City of Palo Alto website not being up and running and that the SFCJPA flood warning site appeared to be down yesterday. Mr. Parker explained how residents are creating lists of sites to provide to each other and using other cameras to view the creek water levels.

Mr. Materman noted that the SFCJPA early warning website has been operational. Mr. Materman and Mr. Murray shared images from the SFCJPA website as of 1:00 pm today (11/16/2017) showing the flows in different areas. Mr. Materman explained that Stanford only reports on a flow of over 100 cubic feet per second and that if cfs are 99 or below their gauges will read zero.

Director Kremen asked for clarification as to why Stanford will not share data on cfs below 99cfs. Mr. Murray explained that as Stanford has water rights to certain streams on their property. Director Kremen commented that one of the lessons the SCVWD learned from the President's Day floods along Coyote Creek is that the more stream gauges we have operational the better off we will be.

Michel Jeremias, City of Palo Alto, provided a brief update on the City of Palo Alto creek monitoring site explaining that the sensors and the creek webcam are offline right now as the sensors are currently being replaced and a new conduit was installed. Ms. Jeremias stated that the system should be working within the next few weeks. Ms. Jeremias explained that the monitor was removed for the Caltrans project at West Bayshore and the City is working with PG&E and San Mateo County for new monitor location. Ms. Jeremias also stated that staff from the cities of Palo Alto and East Palo Alto are working to place a temporary solar powered camera there.

Kamal Fallah, City of East Palo Alto, reported that his staff are working to expedite the installation of the camera and that the sand bag station is up and running and that there are filled sand bags ready for pick up. Mr. Fallah acknowledged Mr. Parker's comments on the flooding sand bag area, noting that the area had been cleared and that if the flooding continued to be a problem the City has other sand bag sites available for use if needed.

Upstream of Highway 101 project update

Mr. Materman provided the Board with an update on the project upstream of Highway 101 noting that the EIR is anticipated to come out in first quarter of 2018. Mr. Materman said that SFCJPA staff is working with staff from the member agencies to analyze the Stanford General Use Permit Plan and he suggested that the SFCJPA Board send a comment letter before the comment period closes, which is expected to happen on December 4, 2017.

Chairperson Pine expressed his favor in the fact that the SFCJPA and member agencies are providing feedback and he would be happy to sign a letter on behalf of the Board. Director Kremen concurred and stated that he would be happy to sign the letter as well.

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6) BOARD MEMBER COMMENTS

Chairperson Pine mentioned that Palo Alto rep Greg Scharff has standing conflicts and we may entertain moving the meeting day or time in 2018.

7) ADJOURNMENT

Chairperson Pine adjourned the meeting at 4:23 pm.

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

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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 has worked with these entities, as well as PG&E, the East Palo Alto Sanitary District (EPASD), and Palo Alto's Golf Course project to complete utility relocation and begin marsh restoration.

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

- In compliance with environmental regulatory permits, in-channel work, including replacing the existing levees, will resume in June 2018.
- Soil excavated from the creek that is suitable for levee fill, and recently imported levee fill, are being used to construct the new Palo Alto side levee on golf course land outside of the current channel.
- PG&E's new gas transmission pipeline became operational on November 19. The utility has cleaned the newly abandoned 1950's pipeline and is in the process of inspecting the previously abandoned 1931 gas pipeline so that both pipelines can be removed by Teichert Construction next summer.
- East Palo Alto Sanitary District has installed the new sewer and recycled water lines under the creek.
- Caltrans has completed in-channel work on its project to replace the Highway 101 bridge over the Creek. Additional roadway work on Highway 101 will continue into early 2018.
- The SFCJPA has secured FAA and Palo Alto Airport clearances to install the support structure for the new boardwalk connecting the existing Friendship Bridge to the new setback levee on the Palo Alto side. This work will begin this month, ahead of schedule.
- In December and January, Hanford ARC, contractor to the SFCJPA, will begin to install habitat restoration features in the Faber Tract and outer Faber Tract. Due to restrictions related to the nesting season of endangered Ridgway's Rail (formerly called Clapper Rail), this work will be paused between February 1 and August 31, 2018 and will resume in September 2018.
- SFCJPA staff applied to the San Francisco Bay Restoration Authority for funding to support construction of the Faber Tract and outer Faber Tract habitat restoration features.
- As discussed at previous Board meetings, costs associated with claims and change orders from Teichert Construction have the potential to significantly affect the project budget. In order to reduce costs, the project team has found the material needed for levee import and continues to seek locations to export material. Yet these and other issues may increase construction costs beyond the contingency amount established in the six-party Construction Funding Agreement. SCVWD, SFCJPA and member agency staff have initiated discussions on strategies to address this issue.

b. Upstream of Highway 101 project update

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. Our objective is to propose a project that is meaningful to – and supported by – our communities, and achievable in the near future within the constraints of regulatory permits, land use, and funding.

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We are awaiting additional documentation from the U.S. Army Corps of Engineers of its preferred project alternative and the benefit-to-cost ratio of that alternative. We anticipate receiving this before the end of the year, after which the SFCJPA Board can consider the costs and benefits of moving forward with the Corps. While the SFCJPA continues to work with the Corps to maintain the possibility of federal funding for construction, we are also advancing this project locally in case the Corps' plan or schedule does not align with local priorities and we must construct the project without federal funding.

Our work over the last month to advance the project locally has focused in part on consolidating and processing the input received from the public at the stakeholder workshops held during the month of October. This feedback, which was summarized at the October 26 Board meeting, is informing the development of our Draft EIR so that the proposed project matches the interests of our communities and is the Least Environmentally Damaging Practicable Alternative (LEDPA), a determination that is a requirement of federal and state permits.

Over the last month, we have also worked closely with our Environmental Impact Report (EIR) consultants and SCVWD staff to refine project alternatives and analyze their temporary and permanent impacts. We anticipate releasing the Draft EIR towards the end of the first quarter of 2018.

The flood protection project alternative of detaining floodwaters in upstream areas of the watershed continues to receive strong support from residents in the floodplain. As we have discussed since 2009, the only locations capable of providing meaningful floodwater detention exist on Stanford University property in areas west of the main, developed part of campus. Many Board meetings over the years have included discussion of this alternative with Stanford representatives, including on October 26, 2017 when we received an update on a potential project to modify the Searsville Dam. Stanford University has applied to Santa Clara County for new General Use Permit (GUP), which was discussed at the last Board meeting. The SFCJPA and its member agencies are sending comment letters to Santa Clara County in regards to issues associated with flooding and other topics within the GUP's Draft EIR.

c. Discuss the 2018 schedule of Regular meetings of the Board of Directors

At the last Board meeting, Chair Pine suggested that the Board may want to consider changing the day and/or time of Regular Board meetings in 2018 to help ensure that all Board members can attend. At this Board meeting, Board members will discuss possible times to establish a schedule of Regular meetings in 2018. After this meeting, the Clerk of the SFCJPA Board will contact the cities to confirm the availability of Council Chambers and will develop the 2018 schedule for Board approval at the January meeting.

In 2017, Board meetings have rotated between the city council chambers of Menlo Park, East Palo Alto and Palo Alto at the start time of 3:30 p.m. on the fourth Thursday of each month (except in November and December because of the holidays that fall on or near the fourth Thursday). Were the Board to maintain this schedule in 2018, it would follow the dates and times listed on the draft document enclosed with this report.

Submitted by:



Len Materman
Executive Director



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Agenda item 5c

DRAFT 2018 Schedule

Regular Board of Directors Meetings

All meetings are on Thursday, beginning at 3:30 p.m.

Thursday, January 25
City of Menlo Park Council Chambers
701 Laurel Street
Menlo Park

Thursday, February 22
City of East Palo Alto Council Chambers
2415 University Avenue
East Palo Alto

Thursday, March 22
City of Palo Alto Council Chambers
250 Hamilton Ave
Palo Alto

Thursday, April 26
City of Menlo Park Council Chambers
701 Laurel Street
Menlo Park

Thursday, May 24
City of East Palo Alto Council Chambers
2415 University Avenue
East Palo Alto

Thursday, June 28
City of Palo Alto Council Chambers
250 Hamilton Ave
Palo Alto

Thursday, July 26
City of Menlo Park Council Chambers
701 Laurel Street
Menlo Park

Thursday, August 23
City of East Palo Alto Council Chambers
2415 University Avenue
East Palo Alto

Thursday, September 27
City of Palo Alto Council Chambers
250 Hamilton Ave
Palo Alto

Thursday, October 25
City of Menlo Park Council Chambers
701 Laurel Ave
Menlo Park

Thursday, November 15
City of East Palo Alto Council Chambers
2415 University Avenue
East Palo Alto

Thursday, December 20
City of Palo Alto Council Chambers
250 Hamilton Ave
Palo Alto