



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
July 28, 2016 at 4:00 p.m.**

AGENDA

1. ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF MEETING MINUTES – May 19, 2016, May 26, 2016, and June 8, 2016 Board meetings
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 planning and activities
 - b. Upstream of Highway 101 project update
 - c. Approve FY2016-17 Salary Schedule
6. BOARD MEMBER MATTERS - *Non-agendized comments, requests, or announcements by Board members; no action may be taken.*
7. ADJOURNMENT

PLEASE NOTE: This Board meeting Agenda can be viewed online by 4:00 p.m. on July 25, 2016 at sfcjpa.org -- click on the “Meetings” tab near the top. Supporting documents related to the Agenda items listed above will be available at the same online location by 5:00 p.m. on July 26, 2016.

NEXT MEETING: Regular Board meeting, August 25, 2016 at 4:00 p.m., East Palo Alto City Council Chambers.

San Francisquito Creek Joint Powers Authority
July 28, 2016 Regular Board Meeting
Agenda Item 3
May 19, 2016 Special Board Meeting Minutes

Director Kremen called the meeting to order at 4:11 pm. at the City of Palo Alto, City Council Chambers, Palo Alto, CA.

DRAFT

1) ROLL CALL

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

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

Others Present: Jerry Hearn, Portola Valley resident; Dennis Parker, East Palo Alto resident; Xenia Hamner, Palo Alto resident; Sean Charpentier, City of East Palo Alto Assistant City Manager; Eileen McLaughlin, Committee to Complete the Refuge (CCR); Ann Stillman, San Mateo County Flood Control District (SMCFCD); Melanie Richardson, Santa Clara Valley Water District (SCVWD); Joe Teresi, City of Palo Alto

2) PUBLIC COMMENT

None.

3) REGULAR BUSINESS

S.F. Bay-Highway 101 project: discuss construction planning and provide direction to staff to regarding amending the May 2014 construction and mitigation funding agreement

Mr. Materman provided the Board with an update on the S.F. Bay-Highway 101 project activities. Mr. Materman reported on the list of outstanding activities and their anticipated completion dates which included: SFCJPA Board consideration of an amendment to the funding agreement that calls for additional funding commitments (May 26, 2016); Board consideration of the PG&E gas pipeline contract (May 26, 2016 or later); SCVWD awarding the construction contract for levees and floodwalls (by June 14, 2016) and the beginning of construction for the new PG&E electrical tower (June 2016). Mr. Materman provided the Board with a list of other items that SCVWD needs to have completed before awarding the contract, which include: an updated federal permit regarding the Biological Opinion amendment for the endangered species Ridgway's Rail, an amendment to the SFCJPA, SCVWD and SMCFCD agreement to fund the Corps of Engineers Feasibility Study; a new SFCJPA-SCVWD agreement to fund HDR support to the SCVWD, and other property related documents. Mr. Materman noted that construction for the SCVWD contractor is anticipated to start early this summer.

Director Pine arrived at 4:15 pm

Director Kremen commented on the urgency to have the funding commitments and the PG&E contract completed by June 14, 2016 and ensuring that all member agencies keep to the timeline. Mr. Materman expressed that SFCJPA is working to stick by the timeline and that we may need to schedule another Special meeting of the Board.

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Director Kremen asked if each of the member agencies' legal departments had reviewed the draft contract yet. Mr. Materman noted that the SFCJPA received a draft of the six-party funding agreement amendment from SCVWD legal yesterday and SFCJPA legal is reviewing it but that he could not speak for other agencies legal review.

Director Keith stated that the Menlo Park City Attorney has seen the draft contract. Joe Teresi, City of Palo Alto Public Works, confirmed that the Palo Alto City Attorney has seen the draft contract. Sean Charpentier, City of East Palo Alto Assistant City Manager, noted that he has received the contract and he will be forwarding it to the East Palo Alto City Attorney today. Chairperson Pine will check with San Mateo County's attorney.

Mr. Materman provided an updated financial summary for the Bay-101 project. Mr. Materman spoke briefly about the meeting that occurred earlier today with PG&E noting that PG&E has the task (within the week) to bring forth a specific contract proposal. Mr. Materman summarized the proposed amendment to the Bay-Highway 101 funding agreement and additional contributions that were agreed upon by member agency chief executives three days ago: SMCFCFCD \$1,260,000; SFCJPA \$953,351; Menlo Park \$800,000; East Palo Alto \$460,000; and Palo Alto \$400,000.

Xenia Hammner, Palo Alto resident, thanked the Board and staff for the work to date and expressed strong support for moving ahead and approving the amended funding agreement.

Director Keith expressed her support of the proposed funding amendment. Director Keith also expressed the need for the Board to agendize discussion for upstream project funding.

Director Kremen concurred with Director Keith's comments and he gave thanks to everyone for working to close the funding gap. Director Kremen reiterated the importance of moving forward with this quickly.

Director Burt concurred with Director Keith's and Director Kremen's comments. Director Burt thanked fellow Board members, SFCJPA staff and member agency staff for the work on this.

Director Abrica concurred with the comments of fellow Board members. Director Abrica expressed his gratitude to staff and colleagues.

Chairperson Pine concurred with his colleague's comments.

Mr. Materman noted that with the support expressed by Board members today for the funding agreement amendment, he will bring it to the Board for approval at next week's meeting.

Approve Resolution Number 16.5.19 of the Board of Directors authorizing the Executive Director to apply for a grant from the U.S. Environmental Protection Agency Region 9 Water Quality Improvement Fund for the S.F. Bay-Highway 101 project and to execute any necessary agreements with U.S. EPA related to this grant

Mr. Materman asked the Board to approve Resolution Number 16.5.19 of the Board of Directors authorizing the Executive Director to apply for a grant from the U.S. Environmental Protection Agency Region 9 Water Quality Improvement Fund for the S.F. Bay-Highway 101 project and to execute any necessary agreements with U.S. EPA related to this grant.

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Director Keith noted that Menlo Park City staff is available to help provide any help or information the SFCJPA may need. Mr. Materman thanked Director Keith and stated that staff will be seeking letters of recommendation from the Mayors of East Palo and Palo Alto.

Chairperson Pine asked for the amount of the total fund pool. Mr. Murray responded saying we were told there is approximately \$4.5 million available from this grant program only for the San Francisco Bay region, and that we can ask for up to \$2 million.

Director Keith made a motion to approve Resolution Number 16.5.19 of the Board of Directors authorizing the Executive Director to apply for a grant from the U.S. Environmental Protection Agency Region 9 Water Quality Improvement Fund for the S.F. Bay-Highway 101 project and to execute any necessary agreements with U.S. EPA related to this grant. Director Kremen seconded. Motion to approve Resolution Number 16.5.19 of the Board of Directors authorizing the Executive Director to apply for a grant from the U.S. Environmental Protection Agency Region 9 Water Quality Improvement Fund for the S.F. Bay-Highway 101 project and to execute any necessary agreements with U.S. EPA related to this grant. approved unanimously 5-0.

Director Pine directed staff to schedule a Special meeting of the Board on June 8, 2016 at 3:30 p.m.

4) ADJOURNMENT

Chairperson Pine adjourned the meeting at 4:48 p.m.

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

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Director Kremen called the meeting to order at 4:10 p.m. at the City of East Palo Alto, City Council Chambers, East Palo Alto, CA.

DRAFT

1) ROLL CALL

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

Alternates Present: Director Carlton, City of Menlo Park (not present at roll call)

Members Absent: Director Keith, City of Menlo Park

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

General Counsel: Greg Stepanicich

Others Present: Jim Wiley, Menlo Park resident; Jerry Hearn, Portola Valley resident;
Carlos Martinez, City of East Palo Alto; Ann Stillman, San Mateo County
Flood Control District (SMCFCD); Saeid Hosseini, Santa Clara Valley
Water District (SCVWD); Eileen McLaughlin, Citizens Committee to
Complete the Refuge (CCCR)

2) APPROVAL OF AGENDA

Approved unanimously 3-0 with modification. The PG&E discussion in item 5.a. will be held until the arrival of Chairperson Pine and Director Carlton.

3) APPROVAL OF MEETING MINUTES-April 28, 2016 and May 11, 2016 Board Meetings

Director Burt made a motion to approve the April 28, 2016 and May 11, 2016 Board meeting minutes. Director Abrica seconded. Motion to approve the April 28, 2016 and May 11, 2016 Board meeting minutes approved 3-0. Director Pine and Director Carlton not present at time of vote.

4) PUBLIC COMMENT

None.

5) REGULAR BUSINESS

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

Mr. Materman provided a brief update on S.F. Bay-Highway 101 project activities, including the completion of the federal permit for a change regarding the recent detection of Ridgeway Rail in the channel, the schedule of member agencies to approve the first amendment to the funding agreement (May 26-June 14, 2016), the SFCJPA Board considering a contract amendment with HDR (May 26, 2016), the SFCJPA Board considering the PG&E gas pipeline contract and an amended SFCJPA/SCVWD/SMCFCD agreement to fund the Corps Feasibility Study (June 8, 2016), PG&E starting electrical tower construction (early June), SCVWD awarding the construction contract (June 14, 2016) and the start of levee and floodwall construction activities (early summer 2016).

Director Carlton arrived at 4:15 pm.

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Mr. Materman continued by providing the Board with a summary of the communications between the SFCJPA and PG&E regarding the cost sharing of the gas pipeline project. Mr. Materman noted that SFCJPA staff met with Ben Campbell, gas operations director at PG&E who signed the company's response letter, and other staff members from PG&E last week. Mr. Materman stated that SFCJPA staff spoke with Mr. Campbell about the prospect of capping the SFCJPA's contribution at a certain level and Mr. Campbell was agreeable to pursuing that approach. Mr. Materman continued by explaining that the not-to-exceed amount would be the level that the SFCJPA has established in the funding agreement and if there are savings the realized savings would be split according to the cost share; 44.3% SFCJPA, approximately 55.7% PG&E. Mr. Materman noted that staff asked PG&E to perform value engineering to reduce the cost and that PG&E can complete that process after PG&E staff are able to discuss construction sequencing with other project contractors.

Chairperson Pine arrived at 4:19 pm.

Director Kremen clarified that the plan is to approve an agreement with PG&E on June 8, 2016. Mr. Materman concurred.

Director Burt expressed his belief that PG&E is receiving betterments, or benefits, that are much more significant than what PG&E has acknowledged in its written response. Director Burt agreed that there is real value to the SFCJPA having a cap on the contribution level and that he would be willing to support moving forward with a PG&E contract that includes the cap and value engineering.

Director Carlton concurred with Director Burt. Director Carlton expressed her disappointment with PG&E's response.

Director Abrica asked if staff had moved forward with seeking an independent assessment on this issue. Mr. Materman explained that he had spoken with staff from Palo Alto utilities and several consultants that could look at the issues but he was waiting for PG&E's response (which came Friday evening) before pursuing an outside assessment.

Director Kremen concurred with his fellow Board member's comments, and stated that seeking an assessment would allow us to circle back to the betterment discussion.

Jim Wiley, Menlo Park resident, shared with the Board that PG&E recently paid him for an easement on his land and he questioned if PG&E might owe a refund to Palo Alto and East Palo Alto for land use. Mr. Murray explained that there is an easement on the golf course between PG&E and Palo Alto but it does not include a purchase agreement as the City of Palo Alto was willing to provide the land use.

Saied Hosseini, SCVWD, informed the Board that he provided PG&E with the contact information for the contractor, but he does not know how much information the contractor can provide at this time.

Director Kremen asked if there is any possibility that the PG&E cap will be higher than it already is. Mr. Materman replied saying that it is possible that it could increase as time goes on.

Chairperson Pine concurred with his colleagues and agreed with the cap and value engineering for the PG&E contract.

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Authorize the Executive Director to execute Amendment Number 1 to the Agreement among the San Francisquito Creek Joint Powers Authority, Santa Clara Valley Water District, San Mateo County Flood Control District, City of Palo Alto, City of Menlo Park, and City of East Palo Alto, for funding construction and mitigation of San Francisquito Creek Flood Protection, Ecosystem Restoration, and Recreation Project, San Francisco Bay to Highway 101

Mr. Materman asked the Board for authorization to execute Amendment Number 1 to the Agreement among the San Francisquito Creek Joint Powers Authority, Santa Clara Valley Water District (SCVWD), San Mateo County Flood Control District, City of Palo Alto, City of Menlo Park, and City of East Palo Alto, for funding construction and mitigation of San Francisquito Creek Flood Protection, Ecosystem Restoration, and Recreation Project, San Francisco Bay to Highway 101.

Director Kremen asked how constituents can show their support. Mr. Materman noted that they can speak at the city council or governing board meetings when the agreement will be on the agenda and he provided the dates planned for those meetings.

Director Abrica made a motion to authorize the Executive Director to execute the first amendment to the Agreement among the San Francisquito Creek Joint Powers Authority, Santa Clara Valley Water District, San Mateo County Flood Control District, City of Palo Alto, City of Menlo Park, and City of East Palo Alto, for funding construction and mitigation of San Francisquito Creek Flood Protection, Ecosystem Restoration, and Recreation Project, San Francisco Bay to Highway 101 subject to minor modifications as needed. Director Burt seconded. Motion to authorize the Executive Director to execute the first amended Agreement among the San Francisquito Creek Joint Powers Authority, Santa Clara Valley Water District, San Mateo County Flood Control District, City of Palo Alto, City of Menlo Park, and City of East Palo Alto, for funding construction and mitigation of San Francisquito Creek Flood Protection, Ecosystem Restoration, and Recreation Project, San Francisco Bay to Highway 101 subject to minor modifications as needed approved unanimously 5-0.

Authorize the Executive Director to execute an Agreement with the Santa Clara Valley Water District to fund bid and construction engineering support consultant services, and a portion of utility relocations and project mitigations, for the San Francisquito Creek Flood Protection, Ecosystem Restoration, and Recreation Project, San Francisco Bay to Highway 101

Mr. Materman asked the Board for authorization to execute an Agreement with the SCVWD to fund bid and construction engineering support consultant services, and a portion of utility relocations and project mitigations, for the San Francisquito Creek Flood Protection, Ecosystem Restoration, and Recreation Project, San Francisco Bay to Highway 101.

Director Burt made a motion to authorize the Executive Director to execute an Agreement with the Santa Clara Valley Water District to fund bid and construction engineering support consultant services, and a portion of utility relocations and project mitigations, for the San Francisquito Creek Flood Protection, Ecosystem Restoration, and Recreation Project, San Francisco Bay to Highway 101. Director Carlton seconded. Director Burt added to his motion, that this authorization is subject to modifications from the SFCJPA General Counsel and Mr. Materman. Motion to authorize the Executive Director to execute an Agreement with the Santa Clara Valley Water District to fund bid and construction engineering support consultant services, and a portion of utility relocations and project mitigations, for the San Francisquito Creek Flood Protection, Ecosystem Restoration, and Recreation Project, San Francisco Bay to Highway 101, subject to modifications from SFCJPA the SFCJPA General Counsel and Executive Director, approved unanimously 5-0.

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Authorize the Executive Director to execute Contract Amendment No. 7 with HDR, Inc. to provide support to the Santa Clara Valley Water District during Bay-Highway 101 project construction

Mr. Materman asked the Board for authorization to execute Contract Amendment No. 7 with HDR, Inc. to provide support to the Santa Clara Valley Water District during Bay-Highway 101 project construction. Director Burt made a motion to authorize the Executive Director to execute Contract Amendment No. 7 with HDR, Inc. to provide support to the Santa Clara Valley Water District during Bay-Highway 101 project construction. Director Abrica seconded. Motion to authorize the Executive Director to execute Contract Amendment No. 7 with HDR, Inc. to provide support to the Santa Clara Valley Water District during Bay-Highway 101 project construction approved unanimously 5-0. Director Keith not present.

Chairperson Pine asked if HDR's bid support was complete. Mr. Murray explained that we are not sure because HDR has not billed for any bid support at this time. Mr. Murray noted that the contract does include a not-to-exceed clause.

Director Abrica asked about the SFCJPA's intent to plan a ground breaking ceremony. Mr. Materman noted that communications were occurring and that Congresswoman Eshoo and Congresswoman Speier have expressed interest in participating as well.

Chairperson Pine stressed the importance of scheduling a date for the groundbreaking. Mr. Materman stated that staff will poll the Board on potential dates for late June or early July.

6) ADJOURNMENT

Chairperson Pine adjourned the meeting at 5:10 p.m.

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

San Francisquito Creek Joint Powers Authority
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Agenda Item 3
June 8, 2016 Special Board Meeting Minutes

Director Pine called the meeting to order at 3:36 pm. at the City of Palo Alto, City Council Chambers, Palo Alto, CA.

DRAFT

1) ROLL CALL

Members Present: Director Keith, City of Menlo Park
Director Pine, San Mateo County Flood Control District
Director Burt, City of Palo Alto
Director Kremen, Santa Clara Valley Water District
Director Abrica, City of East Palo Alto

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

Legal Counsel Present: Greg Stepanicich

Others Present: Jerry Hearn, Portola Valley resident; Brian Perkins, Congresswoman Speier's office; Kamal Fallaha, City of East Palo Alto; Scott Hart, PG&E

2) PUBLIC COMMENT

Jerry Hearn, Portola Valley resident, informed the Board about the Cantor Arts Center exhibition, California: The Art of Water, which will be showing from July 13 – November 28, 2016. Mr. Hearn also shared with the Board that Stanford will be hosting three open houses to discuss important issues regarding the core campus, the dish area and other topics including water issues, housing and traffic. Mr. Hearn noted that the next open house would be taking place this Thursday at La Entrada school. Mr. Hearn also encouraged the Board to spend some time in the near future revisiting the purposes of the SFCJPA, now that the Bay-Highway 101 project is moving forward.

3) REGULAR BUSINESS

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

Mr. Materman offered congratulations to the San Francisco Bay Restoration Authority for the passing of Measure AA in yesterday's election. Mr. Materman noted that Chairperson Pine is also Chair of the Restoration Authority.

Mr. Materman provided a brief summary of the S.F. Bay-Highway 101 project activities that have occurred since the Board last met, stating that four member agencies have approved the funding amendment, and that the SCVWD Board is expected to approve the amendment on June 14, 2016 along with approving the construction contract. Mr. Materman informed the Board that PG&E has begun working on the new electrical tower which is expected to continue through July 2016.

Chairperson Pine asked for a status update on the groundbreaking ceremony for the Bay-Highway 101 project. Mr. Materman replied that details are still being worked out with the contractor and member agency staff. Mr. Materman stated that it is expected that we will have a groundbreaking ceremony in July and that staff will poll the Board for scheduling.

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Authorize the Executive Director to execute the First Amended Agreement among the San Francisquito Creek Joint Powers Authority, San Mateo County Flood Control District and Santa Clara Valley Water District for funding a Feasibility Study with the U.S. Army Corps of Engineers
Mr. Materman asked the Board for authorization to execute the First Amended Agreement among the San Francisquito Creek Joint Powers Authority, San Mateo County Flood Control District and Santa Clara Valley Water District for funding a Feasibility Study with the U.S. Army Corps of Engineers. Mr. Materman noted that the SMCFCD approved the agreement on June 7, 2016 and that the it will be given to the SCVWD Board for approval next week.

Director Keith asked that the topic of funding for the upstream project be agendzied for the September 2016 meeting of the Board.

Director Keith made a motion to authorize the Executive Director to execute the First Amended Agreement among the San Francisquito Creek Joint Powers Authority, San Mateo County Flood Control District and Santa Clara Valley Water District for funding a Feasibility Study with the U.S. Army Corps of Engineers. Director Burt seconded. Motion to authorize the Executive Director to execute the First Amended Agreement among the San Francisquito Creek Joint Powers Authority, San Mateo County Flood Control District and Santa Clara Valley Water District for funding a Feasibility Study with the U.S. Army Corps of Engineers approved unanimously 5-0.

Authorize the Executive Director to execute an Actual Cost Contract with Pacific Gas & Electric that commits the San Francisquito Creek Joint Powers Authority to reimburse PG&E for 44.3% of the actual costs, up to a not-to-exceed amount of \$3,140,770, to modify natural gas transmission pipeline to improve that pipeline and accommodate the S.F. Bay-Highway 101 project
Mr. Materman asked the Board for authorization to execute an Actual Cost Contract with PG&E that commits the San Francisquito Creek Joint Powers Authority to reimburse PG&E for 44.3% of the actual costs, up to a not-to-exceed amount of \$3,140,770, to modify natural gas transmission pipeline to improve that pipeline and accommodate the S.F. Bay-Highway 101 project. Mr. Materman noted that PG&E staff are working to reduce costs.

Director Keith commented that she hoped to see some value in betterment and salvage for this project. Director Keith questioned the need to have section nine in the contract as section 10 adequately captures the invoice and payment process.

Scott Hart, PG&E, commented that deletion of section 9 should be ok, but he has to verify this with his colleagues and PG&E's legal representatives.

Director Kremen voiced his concerns about making changes that might cause a significant delay on executing this contract, which should be executed before the SCVWD Board meeting on June 14, 2016.

Director Keith made a motion to authorize the Executive Director to execute an Actual Cost Contract with Pacific Gas & Electric that commits the San Francisquito Creek Joint Powers Authority to reimburse PG&E for 44.3% of the actual costs, up to a not-to-exceed amount of \$3,140,770, to modify natural gas transmission pipeline to improve that pipeline and accommodate the S.F. Bay-Highway 101 project and authorizing Mr. Materman to work with PG&E to delete section nine from the contract; if section nine cannot be deleted than the contract should be executed as is subject to minor changes from Mr. Materman or SFCJPA legal representation. Director Burt seconded the motion.

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The motion to authorize the Executive Director to execute an Actual Cost Contract with Pacific Gas & Electric that commits the San Francisquito Creek Joint Powers Authority to reimburse PG&E for 44.3% of the actual costs, up to a not-to-exceed amount of \$3,140,770, to modify natural gas transmission pipeline to improve that pipeline and accommodate the S.F. Bay-Highway 101 project and authorizing Mr. Materman to work with PG&E to delete section nine from the contract; if section nine cannot be deleted than the contract should be executed as is subject to minor changes from Mr. Materman or SFCJPA legal passed unanimously 5-0.

Scott Hart, PG&E told the Board that PG&E is committed to working collaboratively with SFCJPA. Mr. Hart noted that PG&E and its contractors are looking at ways to reduce the project cost, and thus the cost to the SFCJPA.

Director Keith asked if the hours PG&E identified as daily working hours, 6:00 am - 5:00 pm are enough. Mr. Hart responded saying that these hours are enough for the for electrical tower, and the hours of operation are still being determined for the gas pipeline.

4) ADJOURNMENT

Chairperson Pine adjourned the meeting at 4:17 pm

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

San Francisquito Creek Joint Powers Authority
July 28, 2016 Board Meeting
Agenda Item 5
Executive Director's Report

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

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

At Board meetings for the past few years we have discussed efforts to prepare for construction of a project to improve public safety and recreation, and increase marsh habitat, between the Bay and Highway 101. As we are fortunately no longer preparing for construction but are *in* construction, from now on we will turn our attention the progress of construction and mitigation activities.

In late 2013, the SFCJPA paid Pacific Gas & Electric to realign electrical poles crossing the creek, which was a relatively minor but necessary activity. The first phase of coordinated project construction permitted under the SFCJPA's agreements with regulatory agencies began last month with PG&E relocating its electrical tower. Also this year, project work with focus on the area near the International School of the Peninsula, on vegetation removal throughout, and on PG&E's gas transmission pipeline.

Since the last Board meeting on June 8, 2016, SFCJPA staff have focused on updating documents previously submitted to regulatory agencies, initiating utility relocation, and developing contracts and plans to implement mitigation activities. Below is a summary of recent developments, which we will discuss at this Board meeting.

Contracting: On June 14, the Santa Clara Valley Water District (SCVWD) Board awarded a contract to excavate and reconstruct the channel, and construct new levees and floodwalls, to Teichert Construction of Roseville, CA. By the first week of August, Teichert plans to mobilize its construction trailer at the site.

Public Meeting: A public meeting to discuss the project and its specific construction activities was held on July 14 in East Palo Alto City Hall. SFCJPA Board member Ruben Abrica and staff from East Palo Alto, the SCVWD and Palo Alto participated in the meeting. Residents asked about a variety of issues, including: truck traffic during construction, bicycle trail access, how soon the project will help reduce flood insurance requirements, how close the new East Palo Alto side levee would be to properties along the creek, and the schedule and impacts of both Caltrans' work at East Bayshore Road and PG&E's work to relocate its gas pipeline.

Groundbreaking Ceremony: This event is scheduled for August 5 next to East Palo Alto's O'Connor Street Pump Station near the Friendship Bridge. At this Board meeting, we'll discuss the event.

Coordinating Construction: A pre-construction partnering meeting was held on July 21 with participants from the SFCJPA, SCVWD and their Construction Management consultant, East Palo Alto, Palo Alto, San Mateo County Flood Control District, East Palo Alto Sanitary District, Caltrans, Palo Alto Airport, Palo Alto Golf Course contractor, Palo Alto Baylands Preserve, PG&E gas and its contractor, and Teichert construction and its subcontractors. The purpose of the meeting was to discuss the many project elements and sensitive issues, communication among the parties, and construction scheduling and sequencing.

Permitting: In April, the SFCJPA submitted several documents related to project construction, mitigation and maintenance to regulatory agencies. SFCJPA and SCVWD staff are now working with regulatory agencies, particularly the Regional Water Board, to complete the following by September 1:

- Groundwater Management Plan for the handling of groundwater during construction;
- Operations and Maintenance Manual to include adaptive management objectives regarding the project's performance and unforeseen future conditions;
- Stormwater Pollution Prevention Plan, for which we expect to receive comments this week (we recently received the Stormwater Permit), and a subsequent Post-Construction Stormwater Management Plan;
- Mitigation Monitoring Plan, for which we received comments from permitting agencies last week; and
- Utility Relocation Plan which is currently being revised based on Regional Water Board comments.

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Executive Director's Report

Utilities: Through its contract with the SFCJPA, PG&E has initiated construction to relocate and build a new foundation for an electrical tower to accommodate the project, and it expects to complete this work by the end of July. Regarding the relocation of PG&E's gas pipeline, since the last SFCJPA Board meeting on June 8, we modified the actual cost contract per suggestions by SFCJPA Board members and I signed the contract on June 20. PG&E intends to begin this work within the next month. On July 12, PG&E informed the SFCJPA that in 2017 it plans to remove all of its abandoned pipeline beneath the creek and levees. Meanwhile, the East Palo Alto Sanitary District is studying when to proceed with its modification to the sewer line that crosses the creek in the project area, and it recently informed us that it would occur in 2017.

Mitigation Planning: The SFCJPA will manage several project mitigation contracts that will:

- Restore riparian habitat upstream of the project site, which includes planting 265 willows and other trees within the creek channel;
- Restore upland forest, work by Grassroots Ecology (formerly Acterra Stewardship Program) to plant 55 oaks and other native tree species in the Pearson-Arastradero Preserve;
- Develop a Predator Management Agreement with the U.S. Department of Agriculture and U.S. Fish & Wildlife Service Don Edwards National Wildlife Refuge to protect Salt Marsh Harvest Mouse and Ridgway's Rail; and
- Design and install high tide refugia mounds and vegetative enhancements within, and along the perimeter of the Faber Tract marsh.

b. Upstream of Highway 101 project update

While SFCJPA staff will continue to spend considerable time on construction coordination, utility relocation, mitigation, and outreach of the S.F. Bay-Highway 101 Project, the onset of those activities this summer, and the addition of an SFCJPA project manager earlier this year, enables the agency to refocus on planning the project elements to provide flood protection upstream of Highway 101.

At the last SFCJPA Board meeting on June 8, the Board voted to authorize me to sign an amendment to the agreement with the San Mateo County Flood Control District and the Santa Clara Valley Water District to enable the continued funding of the local share of the U.S. Army Corps of Engineers Feasibility Study to determine a federal project to provide flood protection along San Francisquito Creek upstream of Highway 101. As part of this Study, the Corps of Engineers is moving forward with an Environmental Impact Statement that will satisfy federal National Environmental Policy Act (NEPA) requirements.

Meanwhile, the SFCJPA intends to complete an Environmental Impact Report (EIR) separate from the Corps study to enable us to move forward with construction of a project upstream of Highway 101 under the California Environmental Quality Act (CEQA). Completion of an EIR separate from, but coordinated with the Corps study, will preserve our opportunity to implement flood protection improvements on our own should there be delays to the federal study or the availability of federal funding.

The EIR will analyze a "baseline project" that would provide for protection against a storm event about equal to the flood of record in 1998 (a flow rate of approximately 7,000 cubic feet per second). Following the completion of the Bay-Highway 101 project and Caltrans' replacement of the Highway 101 bridge, the implementation of this baseline project consists of modifying the Newell Road and Pope-Chaucer bridges, widening the channel at a few constricted locations, stabilizing banks, and restoring riparian habitat.

Other project elements, which could be considered as additive to the baseline project, include upstream detention, an underground bypass culvert, and floodwalls, will all be analyzed within our EIR so that our analysis is complete and defensible.

San Francisquito Creek Joint Powers Authority
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Executive Director's Report

While upstream detention will be part of the SFCJPA's EIR, the Corps' NEPA EIS document is likely to screen out this alternative due to their required method of evaluating costs. For this reason, we are exploring with the Corps and Stanford whether a separate phase of the Corps Study should be devoted to this alternative. Initiating a separate phase of the Corps Study is not required to building upstream detention in the future, but it would provide a vehicle for financial and regulatory assistance from the federal government.

This Board meeting will restart regular updates on our progress towards improving areas upstream of Highway 101, including our work to engage stakeholders, assess alternatives, and ensure that we have the funding necessary to construct the project elements. We are planning a Board study session for September or October to dive into these issues more deeply.

c. Approve FY2016-17 Salary Schedule

At the SFCJPA Board meeting on April 28, 2016, the Board approved the Fiscal Year 2016-17 Operating Budget. At that Board meeting and at the one two months earlier, we discussed the key items within the Operating Budget, including the addition of a salary for a new Project Manager, and increases to the salaries and CalPERS contribution rates of our Senior Project Manager and Finance and Administration Manager to bring their salaries and share of retirement costs more closely in line with positions at member agencies and at a level commensurate with their responsibilities. At the April 28 Board meeting, I indicated that at an upcoming meeting I would ask the Board to approve an updated the SFCJPA Salary Schedule to reflect the salary adjustments approved within this budget. It is a State requirement that we make public a current, Board approved Salary Schedule and provide one to CalPERS.

Proposed Board action: Approve the enclosed SFCJPA Fiscal Year 2016-17 Salary Schedule.

Submitted by:



Len Materman
Executive Director



SAN FRANCISQUITO CREEK
JOINT POWERS AUTHORITY
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Fiscal Year 2016-17 Salary Schedule

Proposed July 28, 2016

<u>Position</u>	<u>Annual Salary</u>
Executive Director	\$160,000
Senior Project Manager	\$105,070
Finance & Administration Manager	\$90,763
Project Manager	\$90,000