



SAN FRANCISQUITO CREEK
JOINT POWERS AUTHORITY

Notice of Regular Meeting of the Board of Directors

Thursday, June 22, 2023

3:30 P.M.

City of Menlo Park City Council Chambers

701 Laurel St., Menlo Park, CA

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

Register in advance for this meeting:

<https://us02web.zoom.us/meeting/register/tZUIce6rrzkvHdXeec9MSm9h9iEQevPPs7KY>

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

1. CALL TO ORDER AND ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF MEETING MINUTES May 25, 2023, Regular Board Meeting
4. PUBLIC COMMENT: *Individuals may speak on a non-agendized topic for up to three minutes.*
5. INFORMATION ITEMS:
 - A. Executive Director's Report
6. CLOSED SESSION:
 - A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: Executive Director
 - B. CONFERENCE WITH LABOR NEGOTIATOR
Agency designated representative: Board Member Rebecca Eisenberg
Unrepresented employee: Executive Director
7. ACTION ITEMS
 - A. Consider and Approve Amendment to Executive Director's Employment Agreement

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

SFCJPA.ORG



SAN FRANCISQUITO CREEK
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- B. Review and Consider Resolution Adopting the FY 23/24 Salary Schedule
- 8. Board Member Announcements, Information Items, and Requests (Information only)
- 9. ADJOURNMENT

PLEASE NOTE: Board meeting Agenda and supporting documents can be viewed online no later than 3:30 p.m. on Monday, June 19, 2023, at sfcjpa.org -- click on the "Meetings" tab near the top. The Board Meeting package will be emailed to those on our Board Meeting distribution list prior to the Board meeting date. Contact SFCJPA Board Clerk, Miyko Harris-Parker at [MHParker@sfcjpa.org](mailto:MH Parker@sfcjpa.org) if you are not on this list and would like to be added.

San Francisquito Creek Joint Powers Authority
June 22, 2023, Regular Meeting of the Board
Agenda Item 3
May 25, 2023, Regular Board Meeting Minutes
DRAFT

Director Combs called the meeting to order at 3:37 p.m., at the City of Palo Alto Council Chambers, Palo Alto, CA. This meeting was conducted as a hybrid meeting with all members of the Board in person and other meeting attendees participating in person and via streaming video and teleconference call.

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

1) ROLL CALL

Members Present: Director Drew Combs, City of Menlo Park
Director Rebecca Eisenberg, Santa Clara Valley Water District (Valley Water)
Director Dave Pine, San Mateo County Flood and Sea Level Rise Resiliency District (OneShoreline)
Director Greer Stone, City of Palo Alto

Members Absent: Director Ruben Abrica, City of East Palo Alto

SFCJPA Staff Present: Miyko Harris-Parker, Staff
Kevin Murray, Staff
Tess Byler, Staff

Legal Present: Lori Liu

2) APPROVAL OF AGENDA

ACTION: Motion and second (Combs/Eisenberg) to add agenda item 5 B. redesignation of Labor Negotiator regarding public employee performance evaluation for the Executive Director passed 4-0.

Roll call vote:
Director Combs Aye
Director Eisenberg Aye
Director Pine Aye
Director Stone Aye

Director Abrica not present.

ACTION: Motion and second (Eisenberg/Combs) to approve the agenda as amended adding agenda item 5 B. passed 4-0.

Roll call vote:
Director Combs Aye
Director Eisenberg Aye
Director Pine Aye
Director Stone Aye

Director Abrica not present.

3) APPROVAL OF MEETING MINUTES: April 27, 2023, Regular Meeting Minutes

ACTION: Motion and second (Eisenberg/Stone) to approve the April 27, 2023, Regular Board Meeting Minutes, passed 4-0

Roll call vote:
Director Combs Aye
Director Eisenberg Aye

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Director Pine Aye
Director Stone Aye

Director Abrica not present.

4) PUBLIC COMMENT

Mark Wiess commented on the opportunity for environmental agencies in the Bay Area to work together to prepare media content to work with the sports world to raise awareness and promote education regarding our environment particularly for the Superbowl which will return to Santa Clara in 2026.

5) GUEST PRESENTATION

5A. Dr. Jenny Suckale, of Stanford University, will present a summary of her research paper "Increasing equity in flood-risk mitigation planning. Lessons from San Francisquito Creek, California."

Dr. Jenny Suckale presented a summary of her research on "Increasing equity in flood-risk mitigation planning". Lessons from San Francisquito Creek, California."

Director Eisenberg expressed appreciation for Dr. Suckale's presentation. Director Eisenberg asked if there was or is consideration for rising groundwater in the study. Dr. Suckale explained that there is a study being planned to study additional threats. SFCJPA Sr. Project Manager Tess Byler stated that the SFCJPA's Reach II project design has been revised based on this evaluation by adding height to the floodwall by University Avenue and clarified that the SAFER Bay project will evaluate rising ground water.

Director Stone thanked Dr. Suckale for the presentation and asked what can be done to mitigate the risks highlighted in the study. Dr. Suckale stated the SFCJPA is headed in the right direction by revisiting the scope of the projects as well as continuing discussions with Stanford University regarding upstream detention.

Director Combs commented on the varied household incomes outlined in the study, noting how the creek is a visual separator of the income disparities within the communities surrounding it.

Director Combs thanked Dr. Suckale for her time and presentation.

5B. Redesignation of Labor Negotiator regarding public employee performance evaluation for the Executive Director

ACTION: Motion and second (Combs/Eisenberg) to redesignate Director Eisenberg as the Labor Negotiator regarding public employee performance evaluation for the Executive Director passed 4-0.

Director Eisenberg nominated herself to be the labor negotiator. No other nominations were made.

Roll call vote:
Director Combs Aye
Director Eisenberg Aye
Director Pine Aye
Director Stone Aye

Director Abrica not present.

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6) CLOSED SESSION

A. Public Employee Performance Evaluation Title: Executive Director
Adjourned to closed session at 4:35 pm.

Conference with Labor Negotiator agency designated representative: Board Member Rebecca Eisenberg Unrepresented employee: Executive Director
Readjourned to open session at 5:18 pm.

There were no reportable actions from the closed session.

7) ACTION ITEMS

A. Review and consider adopting the proposed Fiscal Year 2023/2024 SFCJPA Operations Budget

ACTION: Motion and second (Pine/Eisenberg) to adopt the proposed Fiscal Year 2023/2024 SFCJPA Operations Budget passed 4-0.

Roll call vote:

Director Combs Aye
Director Eisenberg Aye
Director Pine Aye
Director Stone Aye

Director Abrica not present.

B. Review and consider adopting Resolution 23-05-25-A to Authorize the Executive Director to Negotiate and Execute an Amendment to the Master Service Agreement (MSA) for HDR, Inc., pertaining to HDR's consulting services in support of the SAFER Bay Project.

ACTION: Motion and second (Combs/Stone) to adopt Resolution 23-05-25 to authorize the Executive Director to Negotiate and Execute an Amendment to the Master Service Agreement (MSA) for HDR, Inc. pertaining to HDR's consulting services in support of the SAFER Bay Project passed 4-0.

Roll call vote:

Director Combs Aye
Director Eisenberg Aye
Director Pine Aye
Director Stone Aye

Director Abrica not present.

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C. Review and consider adopting Resolution 23-05-25-C to Authorize the Executive Director to Negotiate and Execute a Contract Amendment with Environmental Science Associates (ESA) for Reach 2 Permit Support.

ACTION: Motion and second (Stone/Eisenberg) to adopt Resolution 23-05-25-C to Authorize the Executive Director to Negotiate and Execute a Contract Amendment with Environmental Science Associates (ESA) for Reach 2 Permit Support passed 4-0.

Roll call vote:

Director Combs Aye

Director Eisenberg Aye

Director Pine Aye

Director Stone Aye

Director Abrica not present.

8) INFORMATION ITEMS:

Executive Director's Report

No Comments.

9) BOARD MEMBER ANNOUNCEMENTS, INFORMATION ITEMS, AND REQUESTS (INFORMATION ONLY)

None.

10) ADJOURNMENT

Adjourned at 5:28 pm.

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

Agenda Item 6.B. Executive Director's Report

Urban Reach 2 Hydraulic Technical Memo and follow-up

The purpose of the June 8 Special Board Meeting was to present the results of Valley Water's evaluation of creek capacity in the *June 5, 2023, Existing Conditions Hydraulic Model Update Post 2022 New Year's Eve Flood*. The presentation described the most probable reasons why observed flooding on December 31st, 2022, deviated from predicted flooding in the existing conditions San Francisquito Creek hydraulic model¹, and how the existing conditions model will be revised given this new information.

The primary conclusion is that the creek capacity in Reach 2 has been underestimated by approximately 25%.

As a result of this new understanding, the existing designs of the Reach 2 project elements were evaluated. The Newell Bridge is not affected. It is likely that the widening areas (after using the updated model to confirm that these areas do not induce flooding elsewhere) are part of the "no regrets" Reach 2 project elements. The updated hydraulic analysis concluded that removing Pope Chaucer Bridge would induce greater flood risks downstream unless other portions of the project were adjusted to accommodate those shifting risks.

It is important to note - no one is recommending definitive design changes to the top-of-bank (i.e. flood walls) or to the Pope-Chaucer Bridge (take it out, leave it, or change it) at this time. It is premature to state definitively what project design course of action must be taken. There are still many questions to ask and to answer before we can make a recommendation to the Board as to how to best proceed. We are aware that time is of the essence and will pursue these issues quickly to provide the board with a set of informed recommendations as soon as possible.

The SFCJPA recommended a third party/peer review of the Technical Memo. A Scope of Work for this review has been drafted and will be released in the next week. We are asking for a two-month turn-around from contract initiation to report.

A Scope of Work (SOW) is being created collaboratively between the SFCJPA, Valley Water, and Stanford University. It is expected that Valley Water's in-house survey team will conduct the survey.

¹ Known as a HEC-RAS model, this is software developed for US Army Corps of Engineers that is used to model water flowing through open channels and for computing associated water surface profiles.
<https://www.hec.usace.army.mil/software/hec-ras/>

It is important to note that the conclusions from these two actions – the survey and the peer review – may inform one another. Therefore, final documents for each of these will consider information from the other study.

Other Updates

Urban Reach 2 –

- USACE CAP205 –As discussed last month, the CAP 205 funding may be at risk. Based on preliminary economic analyses the project cost may exceed the CAP205 limits and cost/benefit calculations are now less favorable. We will have more information for the board in the coming weeks.
- Reach 2 Regulatory Permitting – Permitting is moving forward for Newell Road Bridge, with a formal preapplication meeting requested. The Resource Agencies have already provided comments on the July 2022 draft complete permit application, and we anticipate that this permit will be able to move forward so that Newell Road Bridge can be replaced on schedule.
- Construction Schedule –
 - Newell Bridge is planned for replacement/construction in 2024.
 - Channel Widening is planned for construction in 2025 – whether by the USACE or by the SFCJPA.
 - Top-of-Bank is planned for 2025 and/or 2026.
 - Pope-Chaucer Bridge is planned – provisionally - for 2026 – Although final design must now be re-evaluated.
- Funding – In light of the potential changes to the Reach 2 project, the topic of funding will be the focus of an upcoming Board presentation later this year.

SAFER Bay –

- Members of the San Francisco Bay Restoration Authority have requested a tour of the SAFER Bay project– with a focus on community engagement and environmental justice. We are coordinating with our project partners at Climate Resilient Communities, Nuestra Casa, and Grass Roots Ecology. The tour will be held in the morning on a Friday in September. The specific date will be set soon.
- The SAFER Bay will update to the Bay Area Restoration Regulatory Integration Team (BRRIT) on August 16.
- President Biden and Governor Newsom visited the Baylands on June 19 and mentioned the SAFER Bay Project public-private partnership and East Palo Alto and Belle Haven Communities. Link to recording:
<https://www.youtube.com/watch?v=TbKPUewkmsw>

Community Engagement –

We have received several messages from concerned community members and creek-side residents who observe downed trees or branches, trash, or homeless encampments. Some of the issues raised by residents will be addressed in our annual creek maintenance walk. Other issues have been relayed to the appropriate city jurisdiction for their follow-up.

Operations/Administration

We are beginning the banking transition from First Republic Bank to U.S. Bank. This will take several weeks to complete.

Emails were sent to the Board and alternates requesting information needed to complete our Netfile transition. Please be sure to fill out the form sent and return to SFCJPA Clerk of the Board at mhparker@sfcjpa.org.

We received no comments on the draft updated Conflict of Interest Code. The document will be finalized, posted to the website, and included in an update to your Board Handbooks.

Margaret’s SFCJPA email was hacked. This has been corrected. To prevent this in the future, the SFCJPA will be moving to two-factor authentication for Outlook. Sincere apologies to all who may have been impacted.

SFCJPA Members Agreement

Ratification status by SFCJPA member -

Date	Member	Outcome
4/18/23	City of East Palo Alto	Approved on consent
Agendized 6/26/23	OneShoreline	Rescheduled to June 26 meeting agenda. Pending.
Agendized 5/23/23 Rescheduled to a future meeting in August.	Valley Water	Pending
6/5/23	City of Palo Alto	Approved on consent
5/9/23	City of Menlo Park	Approved on consent

San Francisquito Creek Joint Powers Authority
June 22, 2023, Regular Board Meeting,
Executive Director's Report

Future Board Meetings and possible agenda items

Date	Suggested Topic
July – no meeting	Board Recess – no planned regular board meeting
August 24 – Hosted by East Palo Alto	SAFER update
September 28 – Hosted by Palo Alto	Reach 2 update: results of peer review and channel survey
October 26 – Hosted by Menlo Park	Winter prep summary and Reach 2 update: status and funding
November 16 – Hosted by East Palo Alto	Reach 3 update
December 21 – Hosted by Menlo Park	All projects status



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RESOLUTION NUMBER 22-06-23

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
SAN FRANCISQUITO CREEK JOINT POWERS AUTHORITY
Approving the FY 2023-2024 SALARY SCHEDULE**

BE IT RESOLVED by the Board of Directors of the San Francisquito Creek Joint Powers Authority that the Board of Directors hereby adopts the attached FY 2023-2024 salary schedule. Approval of the salary schedule certifies salary increases for the SFCJPA staff effective July 1, 2023, as reflected by a 4-0 unanimous Board vote of the FY2023/2024 SFCJPA Operations Budget on 05/25/2023.

Approved and adopted on June 22, 2023, the undersigned hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the San Francisquito Creek Joint Powers Authority.

INTRODUCED AND PASSED:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Vice Chairperson

Date: 06/22/2023

Chairperson

Date: 06/22/2023

APPROVED AS TO FORM:

Legal Counsel

Date: 06/22/2023



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Agenda Item 7.B

Fiscal Year 2023-2024 Salary Schedule

<u>Position</u>	<u>Annual Salary</u>
Executive Director	\$191,475
Senior Project Manager	\$139,562.51-148,580.05
Finance & Administration Manager	\$140,872.30



Artificial bodies of water, modern



SAN FRANCISQUITO CREEK JOINT POWERS AUTHORITY

Regular Meeting of the Board of Directors
June 22, 2023





Artificial bodies of water, modern

AGENDA

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

1. ROLL CALL

2. APPROVAL OF AGENDA: Changes or additions to the agenda.

3. APPROVAL OF MEETING MINUTES May 25, 2023, Regular Board Meeting and the June 8, 2023 Special Board Meeting

4. PUBLIC COMMENT: Individuals may speak on a non-agendized topic for up to three minutes on a topic within the SFCJPA's jurisdiction.

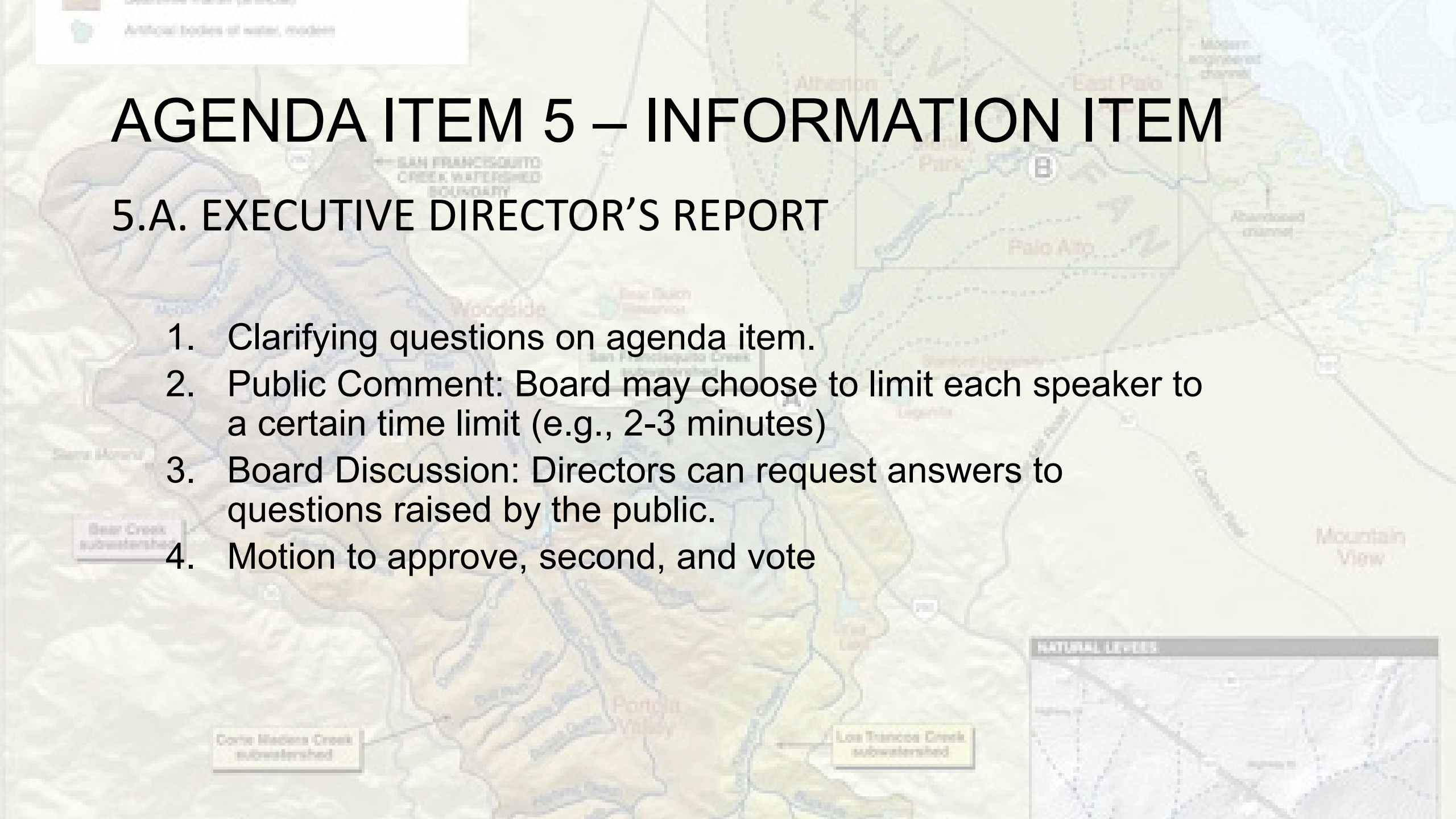
Members of the public speaking in person should submit a speaker card to the Clerk of the Board, indicating which agenda item or items they wish to speak about, in order to be recognized. When the agenda item is called, please stand at the podium and speak clearly.

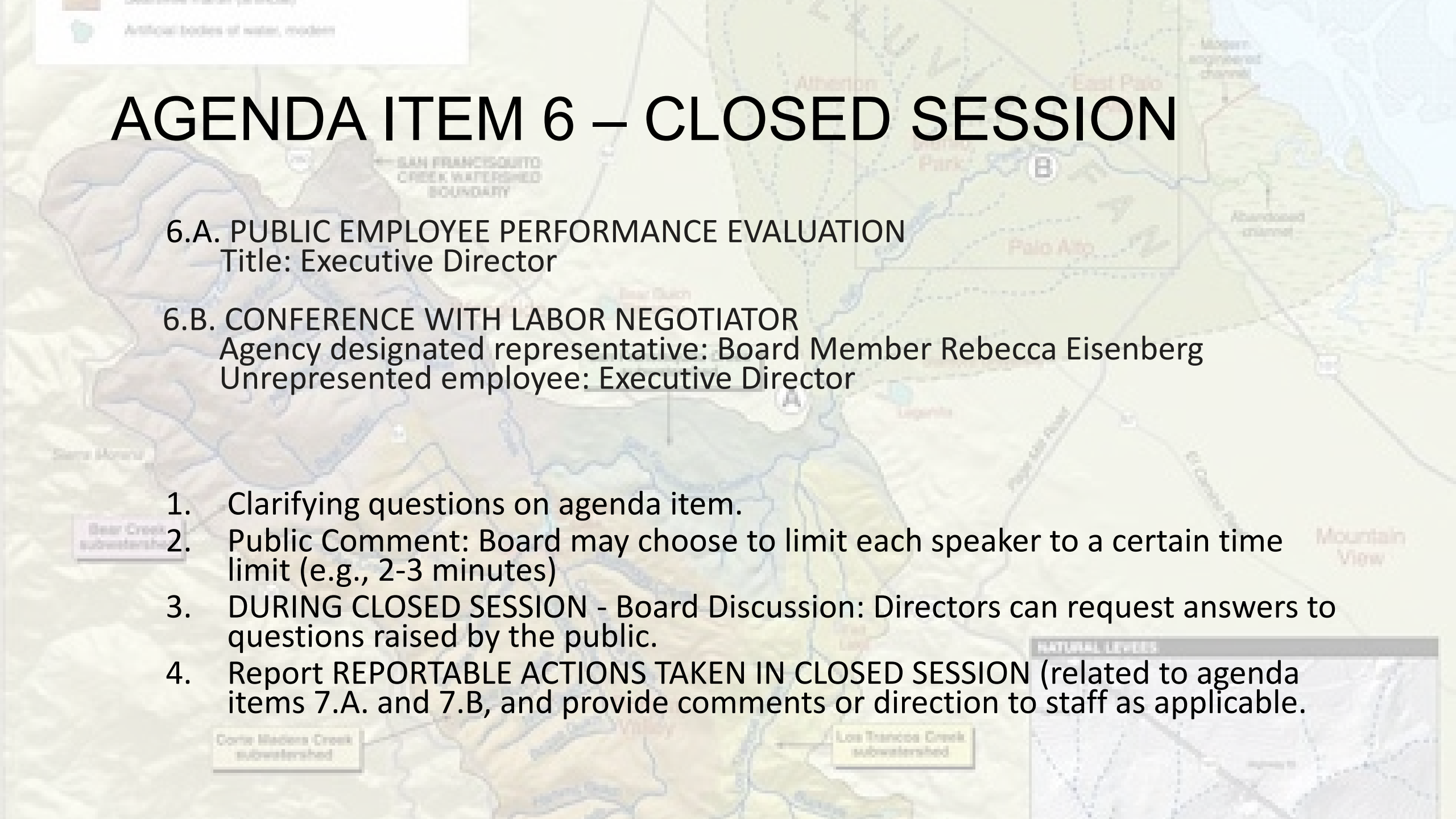
Members of the public speaking via video conference should raise their hand, indicating their desire to ask a question or comment. They will be recognized by the Clerk of the Board and once unmuted and recognized, please speak clearly.

AGENDA ITEM 5 – INFORMATION ITEM

5.A. EXECUTIVE DIRECTOR'S REPORT

1. Clarifying questions on agenda item.
2. Public Comment: Board may choose to limit each speaker to a certain time limit (e.g., 2-3 minutes)
3. Board Discussion: Directors can request answers to questions raised by the public.
4. Motion to approve, second, and vote



A topographic map of the San Francisco Bay Area showing various watersheds. The map is color-coded by elevation, with higher elevations in shades of brown and lower elevations in shades of green and blue. Key features include the San Francisco Bay, the Golden Gate, and several creeks and rivers. Labels on the map include 'Artificial bodies of water, modern' in the top left, 'SAN FRANCISCO CREEK WATERSHED BOUNDARY' in the upper middle, 'Bear Creek subwatershed' in the lower left, 'Corte Madera Creek subwatershed' in the bottom left, 'Los Trancos Creek subwatershed' in the bottom middle, and 'NATURAL LEVELS' in a box in the bottom right. Other labels include 'Alhambra', 'East Palo Alto', 'Mountain View', 'Park', 'Palo Alto', 'Abandoned channel', 'Modern engineered channel', 'Santa Monica', 'San Bruno', 'Loma', 'San Mateo', and 'Mountain View'.

AGENDA ITEM 6 – CLOSED SESSION

6.A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: Executive Director

6.B. CONFERENCE WITH LABOR NEGOTIATOR
Agency designated representative: Board Member Rebecca Eisenberg
Unrepresented employee: Executive Director

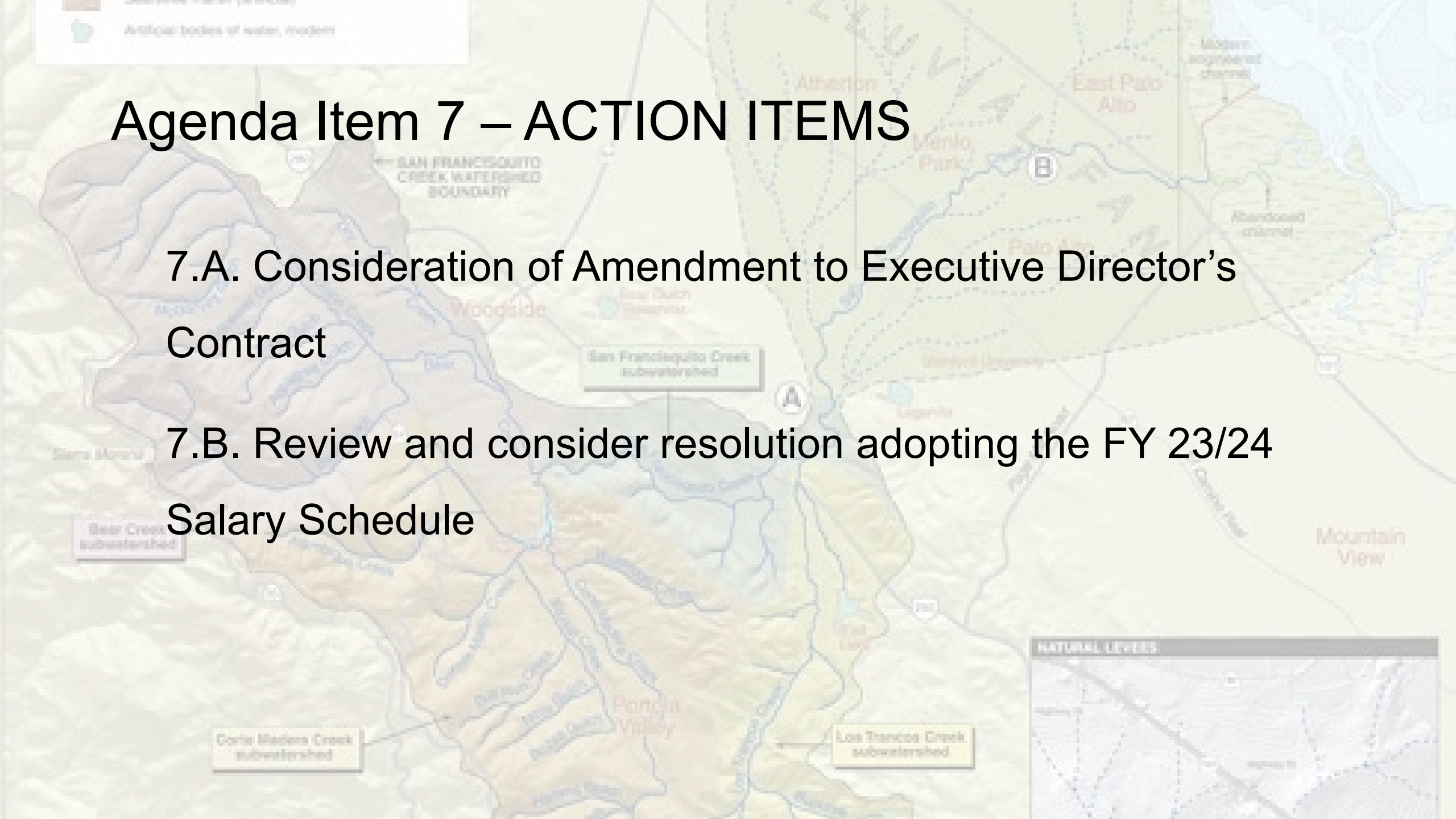
1. Clarifying questions on agenda item.
2. Public Comment: Board may choose to limit each speaker to a certain time limit (e.g., 2-3 minutes)
3. DURING CLOSED SESSION - Board Discussion: Directors can request answers to questions raised by the public.
4. Report REPORTABLE ACTIONS TAKEN IN CLOSED SESSION (related to agenda items 7.A. and 7.B, and provide comments or direction to staff as applicable.

Artificial bodies of water, modern

Agenda Item 7 – ACTION ITEMS

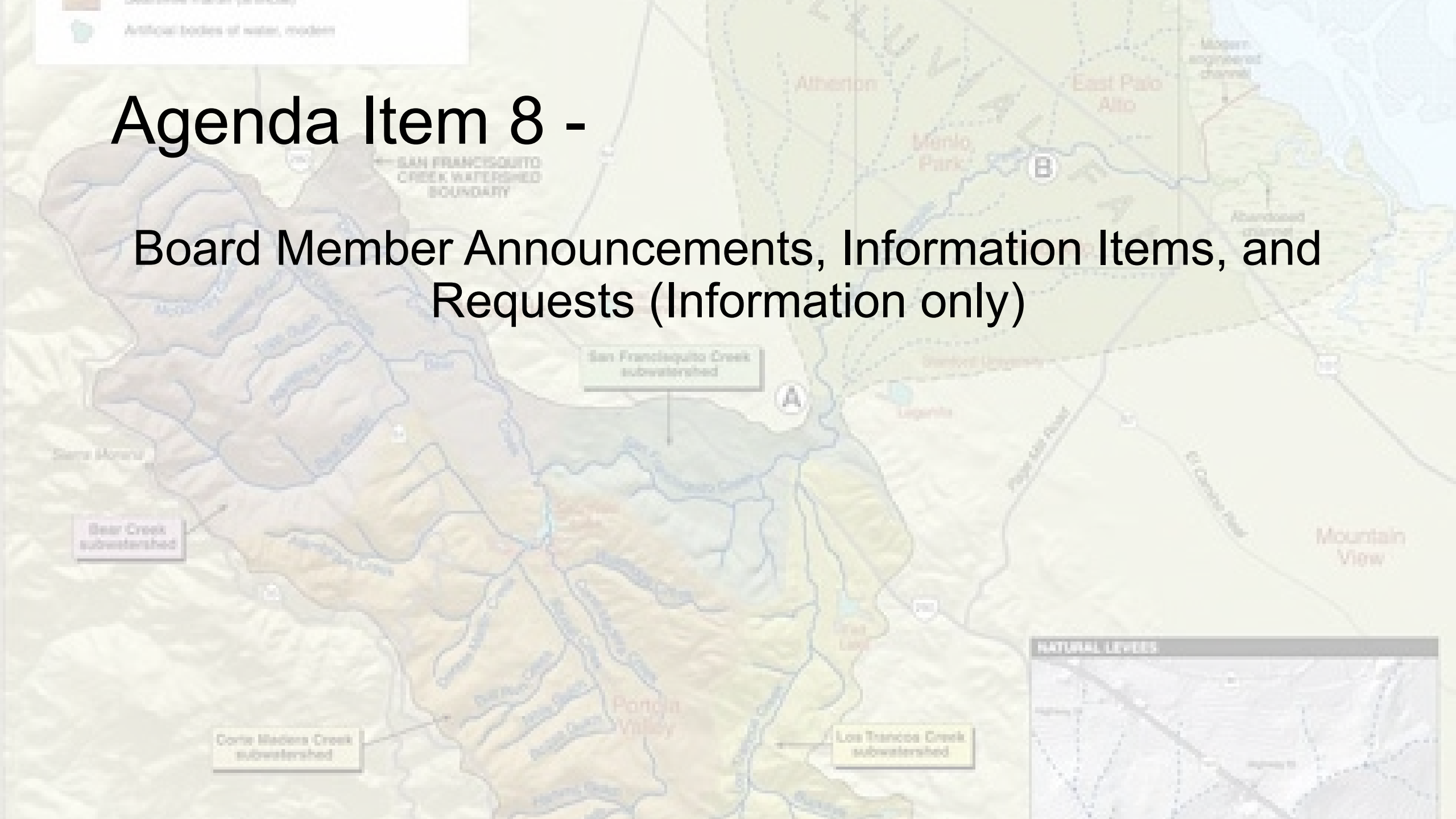
7.A. Consideration of Amendment to Executive Director's Contract

7.B. Review and consider resolution adopting the FY 23/24 Salary Schedule



Agenda Item 8 -

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



Agenda Item 9

ADJOURNMENT

