



SAN FRANCISQUITO CREEK
JOINT POWERS AUTHORITY

Notice of Regular Meeting of the Board of Directors

Thursday, May 27, 2021

3:30 P.M.

Due to the risk of COVID-19 transmission, this meeting will be held remotely. Members of the public may observe and offer comment at this meeting by using the chat function and typing your question or comment, by selecting the raise your hand function or if you are joining by phone unmuting yourself and letting Clerk of the Board or Board Chair know you wish to speak. If you require an accommodation pursuant to the Americans with Disability Act, please contact the Clerk of the Board at the phone number or email listed at the bottom of this Agenda by 10:00 am on the day of the meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/85732835238?pwd=czA1emhxc0dKa1RQQUpvaVdTTy9OQT09>

Meeting ID: 857 3283 5238

Passcode: 739764

(669) 900-6833,, 85732835238#,,,,*739764#

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

Agenda

1. CALL TO ORDER AND ROLL CALL
2. APPROVAL OF AGENDA: Changes or additions to the agenda.
3. APPROVAL OF MEETING MINUTES: April 22, 2021 Regular Meeting and May 1, 2021 Board Retreat.
4. PUBLIC COMMENT: *Individuals may speak on a non-agendized topic for up to three minutes.*

REGULAR BUSINESS

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

5. INFORMATION ITEMS
 - A. Executive Director's Report
 - B. Final Approved FY 2021/2022 Operating Budget

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SFCJPA.ORG



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6. ACTION ITEMS

A. US Army Corps of Engineers Funding Cost Share Agreement (FSCA)

7. BOARD RETREAT FOLLOW UP DISCUSSION-Summary provided by Facilitator Charles Gardiner

8. BOARD MEMBER COMMENTS, INFORMATION ITEMS, REQUESTS and ANNOUNCEMENTS (Information only)

9. ADJOURNMENT

PLEASE NOTE: Board meeting Agenda and supporting documents related to items on the Agenda can be viewed online by 3:30 p.m. by Monday May 24, 2021 at sfcjpa.org -
- click on the "Meetings" tab near the top.



SAN FRANCISQUITO CREEK
JOINT POWERS AUTHORITY

May 27, 2021

SFCJPA Regular Board Meeting





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: April 22, 2021 Regular Meeting and May 1, 2021 Special Meeting (Board Retreat)

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

Agenda Item 5A

Executive Director's Report –

Information Items

Project Updates – Reach 2

- * Continuing to evaluate channel widening details
- * Working with US ACE
- * Coordinating with Valley Water to expand P/C Bridge HMGP grant
- * Evaluating P/C Bridge bank slope & treatments to preserve more trees
- * Communicating with OneShoreline and Sand Hill Properties re. property access/easements





Project Updates

Reach 2 - Funding

- * Total project cost est. ~\$40,414,836
- * Total project funding ~\$32,213,150
- * Funding gap ~\$8.2M -- ~\$5.2M

Possible changes:

- * Shift \$\$ from Site 5 to match expanded HMGP grant
- * Defer Site 5 entirely. Match expanded HMGP grant and move to other channel widening work.



Agenda Item 5A Executive Director's Report, Continued

Reach 2 Permitting

We are on track to submit draft permits in July.

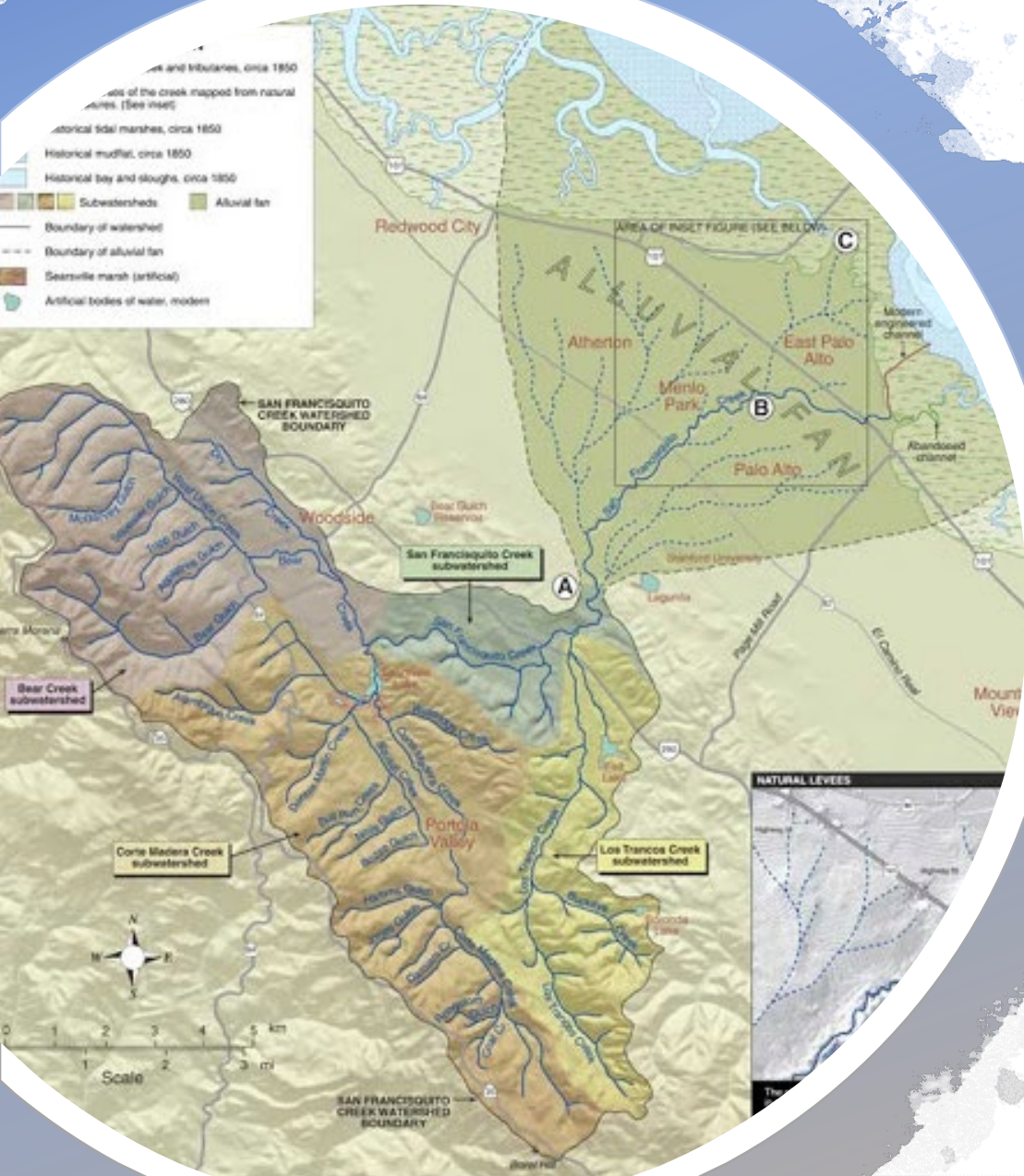
We intend to include Palo Alto's Newell Bridge work in our Reach 2 permit applications.

Agenda Item 5A

Reach 3 - 100-Year Flood Protection, evaluating detention basins

Two locations are being evaluated.
One may screen out due to site complications.

A draft conceptual plan will be shared
with the Board this summer.





Agenda Item 5A

SAFER Bay

An MOU for the SAFER Bay BRIC Grant project with Menlo Park is being drafted.

Our DWR payment for Invoice #1 is not expected for another two months.

We were unsuccessful in our \$5.9M Prop 68 Urban Flood Grant application.

Sea level rise and the SAFER Bay project has recently received media attention.

Agenda Item 5A

Executive Director's Report, Continued Operations and Administrative Updates

There is no news in the CEQA lawsuit.

SFCJPA website traffic continues to grow.

Banking services transition will be completed by the end of May.



Agenda Item 5B – Information Item

Final Approved FY 2021/2022 Operating Budget

Per Board's request, we are sharing the final approved FY 2021/2022 Operating Budget as an information item.





Agenda Item 6.A. – Action Item

US Army Corps of Engineers Feasibility Cost Share Agreement (FCSA)

Executing the FCSA with the Corps initiates the CAP 205 study, which can provide up to \$10M in federal funding

The study will confirm project design feasibility and economic benefit.

SFCJPA cost share approved in FY 21/22 operational budget

The study should be completed in 24 months.

Recommendation: Approve FCSA.

Agenda Item 7 – Discussion Item

Follow-up Discussion from May 1,
2021 Board Retreat

* Review summary of Retreat
outcomes from Charles Gardiner

* Confirm Board priorities and
outcomes from board retreat:

- ~ Funding for Reach 2
- ~ JPA Mission / SAFER
- ~ Reach 2 Permits





Agenda Item 8

BOARD MEMBER COMMENTS and ANNOUNCEMENTS

Board members may share news, updates, and announcements and may request items for future agendas.



Agenda Item 9

Adjournment

Thank you, everyone.



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JOINT POWERS AUTHORITY

San Francisquito Creek Joint Powers Authority
May 27, 2021 Regular Meeting of the Board
Agenda Item 3
April 22, 2021 Board Meeting Minutes

Director Abrica called the meeting to order at 3:30 p.m. via streaming video and teleconference call. Public input was solicited on each item and all public comments received are noted herein.

DRAFT

1) ROLL CALL

Members Present: Director Ruben Abrica, City of East Palo Alto
Director Drew Combs, City of Menlo Park
Director Pat Burt, City of Palo Alto (Not present at roll call)
Director Dave Pine, San Mateo County Flood & Sea Level Rise Resiliency District
Director Gary Kremen, Santa Clara Valley Water District (Valley Water)

JPA Staff Present: Margaret Bruce, Executive Director
Kevin Murray, Staff
Tess Byler, Staff
Miyko Harris-Parker, Staff

Legal Present: Trisha Ortiz

2) APPROVAL OF AGENDA

ACTION: Motion and second (Kremen/Pine) to approve the agenda passed 5-0.

Roll call vote:
Director Abrica Aye
Director Burt Aye
Director Combs Aye
Director Kremen Aye
Director Pine Aye

Director Burt arrived at 3:32 PM.

3) APPROVAL OF February 25, 2021 REGULAR BOARD MEETING MINUTES

ACTION: Motion and second (Burt/Abrica) to approve the March 25, 2021 Regular Board meeting minutes passed 5-0.

Roll call vote:
Director Abrica Aye
Director Burt Aye
Director Combs Aye
Director Kremen Aye
Director Pine Aye

4) PUBLIC COMMENT

None.

5) INFORMATION ITEMS

Executive Director's Report

Ms. Bruce presented the Executive Director's report providing updates related to SFCJPA projects and operations.

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6) ACTION ITEMS

Resolution (employment package) of the Board of Directors, approving the 1st Amendment to the Employment Agreement with the Executive Director and adjusting the Fiscal Year 2021-22 SFCJPA Salary Schedule as needed

The resolution for the employment package for the Executive Director includes a twenty-thousand-dollar salary increase made effective July 1, 2021.

ACTION: Motion and second (Burt/Pine) to approve the resolution approving the 1st Amendment to the Employment Agreement with the Executive Director passed 5-0.

Roll call vote:

Director Abrica Aye
Director Burt Aye
Director Combs Aye
Director Kremen Aye
Director Pine Aye

Approve the proposed FY 2021/2022 Budget

ACTION: Motion and second (Burt/Abrica) to approve the proposed FY 2021/2022 Budget passed 5-0

Roll call vote:

Director Abrica Aye
Director Burt Aye
Director Combs Aye
Director Kremen Aye
Director Pine Aye

Director Pine asked if the member contribution would change because of the increase in the Executive Director's salary. Ms. Harris-Parker responded saying no, member contributions would not change from what has been presented in the draft budget.

Staff directed to bring the budget back in the May 27, 2021 meeting of the Board as an informational item so that the Board can view the final approved budget that includes the increases related to the approval of the Executive Director's salary package.

Approve Resolution Honoring Kevin Murray's first twenty years of service

ACTION: Motion and second (Kremen/Combs) to approve the resolution honoring Kevin Murray's first twenty years of service passed 5-0.

Roll call vote:

Director Abrica Aye
Director Burt Aye
Director Combs Aye
Director Kremen Aye
Director Pine Aye

Proposition 68 Grant Acceptance Resolution

ACTION: Motion and second (Burt/Pine) to approve the grant acceptance resolution passed 5-0.

Roll call vote:

Director Abrica Aye

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Director Burt Aye
Director Combs Aye
Director Kremen Aye
Director Pine Aye

Local Agency Investment Fund (LAIF) Resolution

ACTION: Motion and second (Burt/Abrica) to approve the LAIF resolution passed 5-0.

Roll call vote:

Director Abrica Aye
Director Burt Aye
Director Combs Aye
Director Kremen Aye
Director Pine Aye

Approve ESA Contract Amendment three

ACTION: Motion and second (Pine/Burt) to approve ESA contract amendment three passed 5-0.

Roll call vote:

Director Abrica Aye
Director Burt Aye
Director Combs Aye
Director Kremen Aye
Director Pine Aye

Approve updated tuition reimbursement policy

ACTION: Motion and second (Burt/Kremen) to approve the updated tuition reimbursement policy passed 5-0.

Roll call vote:

Director Abrica Aye
Director Burt Aye
Director Combs Aye
Director Kremen Aye
Director Pine Aye

7) BOARD MEMBER COMMENTS, INFORMATION ITEMS, REQUESTS and ANNOUNCEMENTS

Director Abrica reminded the Board of the May 1st strategic planning session noting that the event will be facilitated by Charles Gardner/Catalyst Group, Inc. who would be reaching out to each of the members of the Board.

Director Burt requested that a discussion regarding potential impacts of a mega fire in the San Francisquito Creek Watershed be agendized for an upcoming meeting.

Director Abrica shared that he had been invited to participate in a new Stanford Searsville analysis group. Director Abrica suggested that the Board decide which Board members should participate.

Jerry Hearn, Portola Valley resident, suggested that Board select to members of the SFCJPA Board to participate.

Director Abrica suggested adding this as an action item to the May 1st strategic planning session as the first meeting of the group is scheduled for May 4, 2021.

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8) ADJOURNMENT

Adjourned at 4:30 pm

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

San Francisquito Creek Joint Powers Authority
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Agenda Item 3
May 1, 2021 Board Retreat Minutes

Director Abrica called the meeting to order at 9:02 a.m. via streaming video and teleconference call.

DRAFT

1) ROLL CALL

Members Present: Director Ruben Abrica, City of East Palo Alto
Director Drew Combs, City of Menlo Park
Director Pat Burt, City of Palo Alto
Director Dave Pine, San Mateo County Flood & Sea Level Rise Resiliency District *Not present at roll call.*
Director Gary Kremen, Santa Clara Valley Water District (Valley Water)

JPA Staff Present: Margaret Bruce, Executive Director
Kevin Murray, Staff
Tess Byler, Staff
Miyko Harris-Parker, Staff

Legal Present: Trisha Ortiz

Facilitator: Charles Gardiner

2) APPROVAL OF AGENDA

ACTION: Motion and second (Burt/Abrica) to approve the agenda passed 4-0.

Roll call vote:

Director Abrica Aye
Director Burt Aye
Director Combs Aye
Director Kremen Aye
Director Pine Not present.

3) BOARD RETREAT AND STRATEGIC PLANNING-DISCUSSION

Director Pine arrived at 9:07 am.

Facilitator, Charles Gardiner/Catalyst Consulting Inc., reviewed the purpose, goals and agenda for the session then members of the Board, Board alternates and staff members from the SFCJPA and member agencies introduced themselves.

4) 3-YEAR WORK PLAN GOALS

Ms. Bruce provided an update on the 3-year work plan. A discussion was had regarding SFCJPA priorities and goals.

Jerry Hearn, Portola Valley resident stated that the agency should prioritize the permitting, funding, construction, and completion of the Reach II project. Mr. Hearn also commented on the importance of finding out if detention basins will be feasible on Stanford land and the need for coordination and collaboration regarding sea level rise among all the agencies.

5) MISSION AND VISSION

The historical mission and vision language was reviewed, and new proposed language was presented and discussed. The outstanding issues related to the SFCJPA membership agreement were reviewed and discussed.

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6) 3-YEAR WORK PLAN, CONTINUED

Discussion regarding the 3-year work plan continued with focus on projects costs and funding and financing needs. A summary of the organizational capacity was given by Ms. Bruce.

Mr. Hearn stated that he would send his comments directly to Ms. Bruce in the interest of the time.

7) NEAR-TERM ACTIONS AND DIRECTION

Mr. Gardiner provided a summary of the action items, assignments, and outcomes from the session.

8) CHAIR ABRICA TO SELECT TWO SFCJPA BOARD MEMBERS TO PARTICIPATE ON STANFORD UNIVERSITY SEARSVILLE ADVISORY COMMITTEE

Director Abrica and Director Burt were proposed to represent the SFCJPA on the Stanford University Searsville Advisory Committee.

ACTION: Motion and second (Combs/Pine) to approve Director Abrica and Director Burt to represent the SFCJPA at the Stanford Advisory Committee passed 4-0.

Roll call vote:

Director Abrica Aye

Director Burt Aye

Director Combs Aye

Director Kremen Not present

Director Pine Aye

9) ADJOURNMENT

Adjourned at 11:57 am

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

Executive Director's Report, May 27, 2021

Project Updates

Reach 2 Project -

Channel Widening -

The channel widening elements of the Reach 2 project are at 30% to 50% design stage.

We are considering deferring channel widening Site #5, the transition wall at West Bayshore. We are in close communication with Stanford University, our hydraulic modelers at ESA, our partners in East Palo Alto, and with residents in the area, to ensure we consider potential ramifications of this change.

The current flow capacity of the channel at West Bayshore is greater than 8,400 cubic feet per second (cfs) during an extreme high tide event. This means that from a hydraulic perspective, we do not need to widen the West Bayshore inlet to complete the Reach 2 project.

If deferring work at West Bayshore is possible, the estimated \$6M for this work can be re-purposed to cover other project elements, thus significantly narrowing the Reach 2 funding gap.

USACE Feasibility Cost Sharing Agreement and Project/Coordination -

In 2005 the SFCJPA Board entered into Feasibility Cost Share Agreement (FCSA) with the U.S. Army Corps of Engineers (Corps) for a federally authorized General Investigation (GI). The GI is the Corps Civil Works program for developing large federal projects that carry to possibility of significant federal funding for project construction. GI studies are large endeavors that require federal approval at multiple stages and can take years to complete.

Due to long delays and several years of partial funding, the SFCJPA Board decided to transition the GI into a Continuing Authorities Program Section 205 (CAP 205) study. The CAP 205 has a limited federal investment of \$10M per project but does not require congressional appropriations for construction funding and can be completed in a much shorter time frame. To initiate the CAP 205 study the Board must approve entering a new FCSA. Approval of the FCSA and required certifications are the subject of Agenda Item 6.A.

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Summary of Reach 2 Project Elements and Status

Reach 2 Elements	Design	Permitting	Rights of Way	Utility Relocations	Construction Funding
Status	50% - 90%	ESA Amend 3 approved for application products	Ongoing discussions with property owners.	Utility mapping underway	Construction funding gaps table updated
This Month's Update	Removing Widening Site 5 under consideration	Regulatory agencies advising on design	Monthly working group to begin meeting in early June	Monthly working group to begin meeting in early June	Investigating filling gaps
For Next Month	Awaiting regulatory and municipal requests	Draft 401 package to be submitted July 1	List of required easements and shared use agreements	Develop cost estimates with utility companies	Discuss construction financing and funding frameworks
Potential Issues	SCVWD is backlogged for updating CAD for several projects – could cause delay	Addition of fish migration elements could increase project footprint and costs	Negotiating with private property owners	Overhead power lines could impact construction methods	Not all funding sources have been secured through agreements and others have timelines that must be met

Reach 2 Milestones

Milestone	3 mo	6 mo	12 mo	18 mo	2023/2024 Construction/Completion
Determination of Site 5 action					
USACE FSCA and Feasibility Study					
Acquire land easements					
Utility relocation to accommodate construction					
Permits acquired					
Funding agreement					
O&M agreement					
Final Design					
Bid and Award					

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Milestone	3 mo	6 mo	12 mo	18 mo	2023/2024 Construction/ Completion
Construction of Newell Bridge					2023
Construction of Widening Sites					2023
Construction of Pope Chaucer Bridge					2024

Pope-Chaucer Bridge Update -

Tree removals in the vicinity of the Pope-Chaucer Bridge are a significant consideration and we continue to work with the bridge design team to reduce impacts to trees, enhance creek and riparian habitat.

Reach 2 Project Permitting -

Permits from the relevant regulatory agencies must be in hand no later than September 2022 to meet a condition of the \$2.875M Prop 1 grant from DWR. We anticipate that the agency that will have the most input on the project will be the Regional Water Quality Control Board, who will issue the Clean Water Act Section 401 permit for the project.

We are working with Water Board staff to submit a “draft” application package this summer. Their informal comments will enable us to refine project elements to meet their needs prior to submitting a “final” application package in the Spring of 2022. We will submit permit application packages to the other agencies (Corps of Engineers and Cal Department of Fish and Wildlife) in Spring of 2022 as well.

Receiving permits in September 2022 enables us to advertise for construction bids in December of 2022 so we can onboard the selected contractor and construction management firm in time for a February 2023 construction start, with in-channel work beginning in April 2023.

Reach 2 Project Funding -

The total cost of the Reach 2 project, including construction costs (\$38,138,150), and all other anticipated ancillary costs (\$2,276,686), is currently estimated to be \$40,414,836.

IF we receive funding from all current potential and known funding sources (DWR, FEMA/HMGP grant, CalTrans, USACE CAP 205 and Valley Water Measure S funds), the total amount of funding is now ~\$32,213,150. This would result in a funding gap of ~\$8,201,686. This assumes no additional funds are obtained. This is a reasonable, but optimistic scenario.

Closing the gap:

If it is possible to defer Site 5 widening and the entire \$6M budgeted via Valley Water's Measure S funding for the Site 5 element can be repurposed and applied directly to other costs or used to leverage additional grant funds. For example, we could use \$2M to leverage more funding for Pope-Chaucer and narrow the funding gap for Reach 2 by \$4M.

In this optimistic scenario, the remaining gap for all of Reach 2 work is ~\$5.2M.

Upstream Detention Evaluation -

Our consultant team has developed updated detention basin footprints and channel dimension/diversion location concepts. Of the two potential detention basin sites, one is likely to be screened out due an abundance of cultural resource locations at and around the site. Initial hydraulic modeling of the other potential basin site indicates that the peak discharge could be reduced by a few hundred cubic feet per second (cfs) over a three-hour period during a 100-year event. The model outputs are in draft form and are being reviewed and refined. In addition to more detailed analyses of hydraulic benefit, a preliminary assessment of construction logistics, impacts, and costs will be developed during this stage of our analysis and will be shared as they emerge. If sufficient detention capacity is shown to be feasible a draft conceptual plan will be shared with the Board this summer.

SAFER Bay -

A Memorandum of Understanding (MOU) for the portion of the SAFER Bay project within Menlo Park is planned to be completed in June.

We plan to resume environmental documentation and engineering design work by restarting a few key activities. A contract modification to rescope our consultant team is being prepared for Board consideration at the June meeting.

We were notified on May 13 that we were not successful in our application for a \$5.9M Prop 68 Urban Flood Grant application.

Media interest in Sea Level Rise and East Palo Alto -

Over the past several weeks, reporters from KQED and NPR have reached out to the SFCJPA and many others for a series of stories that have focused on community responses to sea level rise. City of East Palo Alto's leadership was highlighted. The

SFCJPA provided reporters with Board contacts for both Menlo Park and East Palo Alto. We have found the following stories that were produced by KQED:

<https://www.kqed.org/science/1973805/climate-solutions-in-east-palo-alto>

<https://www.kqed.org/science/1973645/in-their-own-words-east-palo-alto-residents-on-the-coming-rise-in-sea-level>

<https://www.kqed.org/news/11871855/sea-levels-are-rising-in-the-bay-and-east-palo-alto-is-on-the-front-lines>

<https://www.kqed.org/forum/2010101883160/east-palo-alto-faces-rising-seas-displacement-2>

<https://www.npr.org/2021/04/23/990281500/climate-migrants-battle-flooding-again>

Also posted here: <https://www.kgou.org/post/climate-migrants-battle-flooding-again>

Collaboration and outreach with partners -

PG&E invited the City of Menlo Park and the SFCJPA to participate in a site visit on May 7 with Senator Carper from Delaware at PG&E's substation to discuss vulnerability of critical roads and infrastructure and systemic solutions to sea level rise.

Flood Early Warning System -

With the concurrence of our emergency planning and response colleagues, we will be 'decommissioning' the text and phone call function of the Flood Early Warning System. To accomplish that, we will be reaching out to the email addresses and phone numbers signed up for alerts in the current SFCJPA system and encouraging them to sign up for the applicable county-wide alert system (SMC Alert and/or Alert SCC). We will include this information on our website, and in the next SFCJPA newsletter.

Components of the system that provide real-time data on rain and flow conditions in the upper watershed that informs response agencies will remain and continue to be managed by SFCJPA staff.

Reach 1 Project -

The first three years of maintenance, monitoring and regulatory reporting for the mitigation/restoration sites for the Reach 1 project are being paid for through the construction funding agreement, with year 3 to be completed in June of this year. We

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Executive Director's Report

are planning to release a Request for Proposals on or around July 1 for a consultant/contractor team to provide maintenance, monitoring, and reporting for the project's mitigation sites for years 4 through 10 - 2022 through 2028. We anticipate bringing a contract to the Board for approval in September.

Interpretive signs:

Staff recently met with Palo Alto staff and our design consultant to advance design and develop logistics for installation. We anticipate finalizing the design in August, in preparation for fabrication in September and installation in October. We are teaming with Palo Alto, who has a project to install similar signs along the SF Bay Trail, on a single fabrication and installation contract for efficiency and cost savings.

Funding Requests -

Reach 2:

We learned from CalOES that an existing \$3M HMGP grant for the Pope-Chaucer Bridge is eligible for an expanded funding request. We are working with Valley Water (the lead applicant for this grant) to provide CalOES with the updated cost, budget, and associated documentation. Tentatively, we are seeking an additional ~\$3.5M dollars.

Our initial Congressional Community Project Funding Requests were not selected for funding. As mentioned earlier we received notice that our Prop. 68 Urban Flood grant application was not selected.

May 1, 2021 SFCJPA Board Retreat -

On May 19, 2021, the Board held a retreat study session. Our consultant and retreat facilitator Charles Gardiner/Catalyst Consulting, Inc. prepared a Board Retreat summary, included in this board packet.

3 Year Rolling Workplan Update -

Following discussions with Chair Abrica, the 3-year rolling workplan, which was shared with the Board prior to the May 1 Board retreat, has been modified to coincide with the SFCJPA's fiscal year. Following the board retreat, priorities have been added to action items in the plan. We will revisit this again in December. The updated workplan is posted to the SFCJPA website at this page ([JPA Documents & Archives — San Francisquito Creek Joint Powers Authority \(sfcjpa.org\)](#)) for your, and the public's, reference.

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 Executive Director's Report

Organization/Administration Updates -

- There is no news regarding a preliminary judgement in the CEQA lawsuit. A ruling is expected by June 23, 2021.
- We had 462 unique visitors to the SFCJPA website in the past month representing a 5% increase from previous months.
- We continue with the banking transition process and anticipate concluding the transition by early June.

Forward View of Board Agendas -

Please review and provide your input on items that you would like to see on future agendas. This forward view will be updated each month.

Regular Board meeting	Envisioned Agenda Items
June	SAFER Bay focus. Comprehensive Plan review
July	Comprehensive Plan 2021 edition acceptance/ratification
August	Summer Board Recess. No meeting planned.
September	Approve Reach 1 Maintenance, Monitoring and Reporting contract. SFCJPA - FSLRRD intersection of roles and responsibilities Study Session.
October	Winter Preparation
November	
December	Three year rolling workplan review and update
January	Election of new board member positions; review updated Board handbook

San Francisquito Creek Joint Powers Authority Operating Budget
FY 21-22 Final Approved FY 2021-2022 Operating Budget .
Proposed Budget reflects increase in Member Contributions.

REVENUES

Member Contributions (\$337,240 x 5),	1,686,200
Grant funding: SAFER Bay project 1	-
Upstream of Highway 101 EIR legal	-
Interest	3,500
Total Revenues	1,689,700

EXPENSES

Acct.	Description	Amount
Personnel		
1	Executive Director Salary ²	155,000
2	E.D. Transportation Allowance	5,000
3	Finance & Admin. Mgr. (FAM) Salary ²	106,668
4	Senior Project Mgr. (SPM) Salary ²	123,480
5	Senior Project Manager (SPM) Salary ²	123,480
6	COLA ³	15,913
7	Employee Benefits	254,500
8	Membership Dues	15,000
9	Payroll Administration/Fees	3,000
10	Employer Taxes	62,000
	Subtotal Personnel	864,041
Contract Services		
11	Legal Counsel	130,000
12	Auditor	20,000
13	Project Consultants	70,000
	One-time Upstream of Hwy. 101 Project expenses ³	231,500
	Reach 2 EIR Addendum	50,000
	Cap 205	160,000
	O&M	70,000
	Subtotal Contract Services	731,500
Administrative		
14	Computers/Software	5,000
15	Meeting Supplies	2,500
16	Travel/Training	9,000
17	Office Supplies	1,500
18	Telecommunication	2,000
19	IT	4,000
20	Postage	100
21	Printing/Design	1,000
22	Website	1,500
23	Liability Insurance	15,000
24	Office Lease	56,000
25	Utilities	-
26	Office furniture/maintenance	800
	Subtotal Administrative	98,400
General Contingency		
27	General Contingency	35,000
Total Expenses ⁴		1,728,941

¹ Member Contributions include addition of 15% reserves approved by the Board in November 2020 to start in FY21-22.

² COLA at 4.5%:Based on CPI of 2% and 2.5% for the past two years (reference https://www.bls.gov/regions/west/news-release/consumerpriceindex_sanfrancisco.htm)

³ This amount is carryover from FY 20-21. No new revenue has been added to the budget for this line item

⁴ Total expense line includes 231,500 carried over, however this amount was deducted from the calculation for member contributions which were based on "expected real" expenses) in the amount of 1,470,441

Agenda Item 6.A. Feasibility Cost Share Agreement with the US Army Corp of Engineers

Background

The SFCJPA is the non-federal sponsor for the U.S. Army Corps of Engineers (Corps) federal investigation for flood risk management at San Francisquito Creek. The Corps' study is being converted from a General Investigation (GI) to a Continuing Authorities Program Section 205 (CAP 205) project. CAP 205 projects are limited to \$10M in federal expenditures but do not require congressional appropriations to begin construction. The federal government has dedicated \$515,000 of the \$10M maximum federal investment to complete the required Feasibility Phase of the project. Upon completion of the study the remaining federal funds would be applied to construction of the project. Construction cost share for Corps flood risk management projects are typically 65% federal and 35% non-federal.

Discussion

Conversion of the federal study to a CAP 205 project requires the non-federal sponsor to enter into a new Feasibility Cost Share Agreement (FCSA) with the Corps. The FCSA stipulates that the non-federal sponsor shall provide a 1 to 1 cost share for the work required to advance the study to the construction phase. Entering the FCSA commits the SFCJPA to \$515,000 in expenditures over the next two to three years. The non-federal share for the first year of the study is included in the approved FY 2021/2022 operational budget. The CAP 205 project will focus on channel widening in Reach 2 between Pope-Chaucer bridge and West Bayshore Road.

Recommendation

Authorize the Executive Director to execute a Continuing Authorities Program Section 205 Feasibility Cost Share Agreement with the U.S. Army Corps of Engineers for flood risk management at San Francisquito Creek.

San Francisquito Creek JPA

Board Retreat

May 1, 2021

Summary Notes

Goals and Priorities

Top Priority - Funding Approach for Reach 2

1. Assess and describe full project costs and all known and likely funding.
2. Develop funding plan/agreement for Reach 2 construction. (5)
3. Identify and strategize how to close funding gap for construction. What portion can we fill with State or Fed money, grants, or other sources?
4. Identify effects on project funding especially related to pandemic.
5. Coordinate funding discussions for better understanding of need among partners.

Comments on Funding

Purpose and Framing

1. Board first needs complete review and discussion of actual needs.
2. Trying to resolve proportionality of an unknown amount should not be forced at this time.
3. Better defined real need will allow for productive discussion.
4. We can't resolve funding issues without knowing need, but avoiding the subject is problematic.
5. Three possible approaches (there may be others): Equal share; Ability to pay; Benefit based.

Timing

1. Should define timeline for developing funding agreement.
2. Securing funds under certain scenarios could take a year or more.
3. Project funding should be prioritized as the primary agenda item at a future board meeting.
4. Fall is good check in point when more is known. Should know a lot more in fall than we know now.

Public Comments

1. Past disputes over funding were difficult and damaging. Agency is in a better place now.
2. Include discussion at each board meeting en route to setting timeline for decisions.
3. Include fallbacks in case best case scenarios don't come to be or new costs arise.
4. Focus on principles of working together on common goal.

Planning and Communications

1. Clarify and communicate Reach 2 benefits on west side of East Palo Alto.
2. Solidify project approaches (incorporate Reach 3).
3. Better define upstream detention approaches, feasibility, and timeline.
4. Highlight how completion of Reach 1 project improved conditions upstream.
5. For the longer term, consider higher level of flood risk from severe fire risk affecting runoff volumes.

Permitting

1. Prioritize construction permitting efforts. Communicate process and progress regularly to board.

SAFER Bay Project

1. Integrate SAFER Bay goals with regional partners beyond current project reaches.
2. Address SAFER Bay disconnect between N & S of Creek and how SLR issues are addressed.

Public Comments

1. Complete Reach 2 project.
2. Move forward with upstream detention evaluation.
3. Must have total coordination with SLR efforts.
4. Update the public on the plan and status of interpretive panels (from Q&A).
5. Have enough staff to complete work.

Vision and Mission Statements

Focus, Tone, and Style

1. Vision should be more expansive/general. Mission and goals are where we dial down on what we do.
2. Should choose inspirational/aspirational words that convey people living with the natural resource. Mitigate seems too rigid a word.
3. Flood protection should be first priority, with stewardship supporting it.
4. Vision/Mission should focus on/acknowledge end of JPA's work.
5. JPA should foster stewardship as long as it is in operation.
6. If JPA discontinues at some point, we need a strategy for continuing upstream detention efforts.

Relationship to Sea Level Rise Work

1. Are we leading or supporting SLR efforts?
2. Concerned about mission creep. Coordination rather than duplicating what others are already doing.
3. Need discussion on what JPA role is on SLR as compared to others.
4. JPA's longevity may be determined by future role in coastal projects.
5. Particular agency (JPA) needs to be lead on creek work - SLR work needs to be partnership (Staff comment).

Next Steps

1. Define the role of the JPA regarding SLR to help guide updates to the Joint Powers Agreement.
2. Refine vision and mission language to capture aspiration and management and coordination roles.
3. Update the member agreement; escalate issues to JPA board for resolution.
4. Develop process and timeline for identifying local funding needs and approaches for Reach 2.
5. Include elements in monthly board meetings so decisions are stepwise.