

**December 6, 2007 Special Meeting Minutes  
San Francisquito Creek  
Joint Powers Authority**

Chairperson Abrica called the meeting to order at 4:06 p.m. at the City of Menlo Park Council Chambers, 701 Laurel Street Menlo Park, California.

**1) ROLL CALL**

Members Present: Chairperson Abrica, City of East Palo Alto  
Director Robinson, City of Menlo Park  
Director Kwok, Santa Clara Valley Water District (SCVWD)

Members Absent: Director Gordon, San Mateo County Flood Control District  
Director Mossar, City of Palo Alto

Alternates Present Director Drekmeier, City of Palo Alto  
Director Jacobs Gibson, San Mateo County Flood Control District (arrived at 4:15)

Associate Members: None

JPA Staff Present: Cynthia D'Agosta, Executive Director (ED)  
Kevin Murray, Staff  
Miyko Harris-Parker, Staff

Counsel Present: Greg Stepanicich, Legal Counsel

Others Present: Joe Teresi, City of Palo Alto; Glenn Roberts, City of Palo Alto;  
Kent Steffens, City of Menlo Park; Trish Mulvey; Palo Alto resident; Beau Goldie, Santa Clara Valley Water District; John & Mary Schaefer, Palo Alto residents; Art Kraemer, Palo Alto resident; Jeff Shore, Palo Alto resident; Art Keller, Palo Alto resident; Jim Porter, County of San Mateo; Jerry Hearn, Acterra; Nancy Palmer, Menlo Park resident; Mary Ann Derwin; Town of Portola Valley; Alex Von Feldt, Town of Portola Valley; Thomas Kendall, Corps of Engineers; Judy Sheen, Corps of Engineers

**2) APPROVAL OF OCTOBER 25, 2007 SPECIAL MEETING MINUTES**

Minutes approved 4-0 as amended by Chairperson Abrica Change: Header on minutes, agenda item number two; header should indicate that minutes are for October 25, 2007; address for meeting location 2415 University Avenue.

**3) APPROVAL OF AGENDA**

Consent item B removed to be carried on to January 31, 2008 meeting. Agenda approved 5-0.

**4) CONSENT CALENDAR**

Consent calendar approved 5-0.

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**5) PUBLIC COMMENT**

Nancy Palmer, a resident of Menlo Park representing the neighbors along the San Francisquito Creek near Oak Knoll School, read a statement to the Board that states their concerns of the recently adopted Master Plan for the Oak Knoll Scholl renovation. Ms. Palmer told the Board that the residents who live by the Creek near Oak Knoll School are concerned about the additional polluting that will occur with the renovations. Mrs. Palmer stated that as the JPA is the responsible agency for the creek, she was seeking assurance that the Board will carefully review the EIR for the Oak Knoll School renovation and its impact on the Creek.

Mary Schaffer, a Palo Alto resident, addressed the Board speaking of her concerns regarding the Creek. Mrs. Shaffer told the Board that she was wearing her flood boots, the same boots that she wore during the 1998 event to remind the Board who the victims are and that they are still out there. Mrs. Schaffer told the Board that residents from Palo Alto and Menlo Park have not seen much relief yet residents have been and are continuing to give their support of the JPA as they should, but she wishes that the JPA could do something for the residents. Mrs. Schaffer finished her comments by welcoming the newest Board members and stating that she was in her rain boots for ten days during the 1998 event and she does not want to have to go through it again.

Maryanne Derwin, Vice-Mayor of the Town of Portola Valley, stated that she was attending the Board meeting in the spirit of good will. Ms. Derwin stated that the Town of Portola Valley was hoping to partner with the JPA in attaining grant money for the Sausal Creek day-lighting project in the Town of Portola Valley. Ms. Derwin stated that she would like to open the communication between the JPA and Portola Valley as the Town does have upper watershed residents.

Director Drekmeier questioned if the JPA normally reviews and makes comments on EIRs. ED responded by saying that normally the JPA leaves commenting to the permitting agencies; in the case of Oak Knoll it would be the City of Menlo Park. ED continued to say that there had been a number of instances in which the Board has taken policy on not reviewing projects directly as a JPA Board; however the JPA staff has reviewed and commented on EIRs when asked by the local permitting agency.

Director Drekmeier questioned if the JPA has a position on permeable surfaces. ED replied no, the JPA has not taken one.

**6) REGULAR BUSINESS - ED Report**

**Report on Feasibility Study and Corps partnership:**

Director Kwok commented on the Feasibility Project stating that the JPA had a good meeting with Army Corps of Engineers and that everyone is working closely together to try and complete the Feasibility study within the next couple of years. Director Kwok welcomed Ms. Derwin and assured her that the SCVWD staff is available to answer any questions she may have.

ED started her report by presenting to the Board a written summary prepared by Joe Teresi, P.A. Public Works, regarding the November 21, 2007 meeting with the Army Corps of Engineers. ED stated that there were fourteen attendees that included Director Robinson and

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Director Mossar as well as Army Corps representatives Tom Kendall and Judy Sheen, who were attending the Board meeting to answer any additional questions the Board may have. Chairperson Abrica welcomed and thanked Mr. Kendall and Ms. Sheen for attending the Board meeting. ED continued on outlining the key points of the meeting summary.

ED presented to the Board a list of action items to be completed regarding the Feasibility Project. ED told the Board that the Federal 2008 budget should be finalized in January and that the FY 2009 Federal request process would begin in February. ED stated that discussions should begin of how the JPA will decide to approach the D. C. delegation with the Santa Clara Valley Water District. ED told the Board that she had spoken with Congresswoman Eshoo's Staff in regards to setting up a meeting with the Congresswoman. Congresswoman Eshoo's staff said that a meeting would not be possible until January as Congress would be in session until right before Christmas. ED reminded the Board that she would be on leave of absence starting December 10 and not returning until January 22, 2008. ED stated that she had instructed staff to contact her during her time away if Congresswoman Eshoo's staff was able to set a meeting time so that she could attend.

ED presented to the Board the letter to send to the Army Corps requesting for a modified FCSA. ED stated that the letter, once approved by the Board, would need to be sent to the Corps then the Corps would send a modified FCSA which would be presented at a future Board meeting for approval. ED said that once the modified FCSA was received and approved then Addendum 2 to the Six Party Agreement would need to be approved. ED stated that the approval to the Addendum was not needed at right away as the Army Corps informed everyone who attended the November 21 meeting that Corp staff would not be available to use the \$100,000 that Addendum 2 is based on until the March/April time frame as the mapping is not yet complete. ED stated that once the mapping is complete then the Army Corps would be able to use the \$100,000 to begin the Hydraulic model.

Director Robinson asked which consultant was doing the mapping. ED stated that she had the information in her office and she would forward it to the Board. ED continued outlining future Project action items. ED told the Board that one of the scenarios that was discussed at the November 21 meeting with the Army Corps was whether or not the JPA could ask the Army Corps to act in an advisory capacity to the feasibility phase using our funds to hire consultants to complete the study.

Director Kwok questioned if the mapping for the study could be done concurrently instead of separately as they are now. Kevin Murray, Project Manager for the JPA, responded by saying that yes the mapping could be done concurrently, but strategically it was to do the downstream areas first because the Hydraulic model would be built in that area first. ED added to the statement by saying that the Shoreline team is currently doing its surveying and we wanted to coincide with the timing of that project. ED also stated that the upper watershed conditions are very different and very difficult to access at this time frame.

Director Drekmeier asked what the mapping would entail. Beau Goldie, SCVWD, responded by saying that the mapping involves surveying the channel that will give a good picture of the condition of the channel. ED stated that she would provide the Board with a more detailed response to Director Drekmeier's question.

Chairperson Abrica commented that having the action items on the agenda was good and that the project mapping should be agendaized for a future meeting for a more in depth

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conversation. Director Jacobs Gibson stressed the importance of making sure that the information regarding the project be simplified to ensure that everyone who reads is able to understand the information. Director Robinson added to the comment by suggesting that the whole plan be put up at meetings so that the Board and the public can see what the bigger picture plan is.

Chairperson Abrica asked for a motion to approve sending a letter to the Army Corps of Engineers requesting for modification of the FCSA. Director Robinson moved to approve sending letter. Director Kwok seconded. Board approved sending a letter to the Army Corps of Engineers 5-0.

**Board request for background on Portola Valley/JPA grant participation:**

ED provided the Board with a written background of the previous grants that the JPA partnered with Portola Valley. ED told the Board that there had been meetings to discuss Portola Valley becoming a member however nothing materialized from it. Director Robinson asked for clarification on how the member agencies of the JPA were decided on. ED responded by saying that the response to the 1998 flood occurred through the cities and the organizing of the agency happened so quickly that there was not a formal invitation given to the towns. ED stated that the Board and staff have been working on the outreach to keep the towns at the table. Director Jacobs Gibson added to the discussion by saying that the emphasis was on the immediate forming on the agency and its operations and that as the agency started coming together and getting more information it then moved into more of a watershed issue and with that the outreach to both Portola Valley and Woodside began. Director Robinson said that the JPA should consider inviting Portola Valley and Woodside at least as associate members to have a more formal relationship with each town.

Chairperson Abrica stated that this discussion fits in with the Strategic Plan and that we should bring it back to Board discussion in February. Chairperson Abrica suggested that a subcommittee be formed to work on this piece of the strategic plan.

**Annual Board Meeting schedule:**

ED presented the proposed 2008 Board meeting scheduled. ED pointed out that the proposed schedule included a possible time change to 4:00 pm instead of 6:30. ED shared with the Board that the 6:30 time slot was requested by a previous Board member. ED stated that the Acterra Board also meets every Thursday at 7:00 pm and having a 4:00 pm JPA meeting would mean that members of the Acterra Board would be able to attend JPA meetings. Director Robinson asked to poll the public to see if they would be able make the 4:00 pm time slot. Jerry Hearn, Acterra Board Member, asked what the opinion of the member agency staff was in regards to moving the time. ED said that most staff that have been polled preferred the 4:00 pm time slot. Director Drekeimer moved to approve the 2008 Board meeting schedule to 4:00 pm every fourth Thursday. Director Jacobs Gibson seconded. Board approved FY 2008 Board schedule 5-0.

**Strategic Plan Draft and revisions to Agency Management documents:**

ED presented the Draft Strategic Plan to the Board. ED asked the Board to review the plan and compare it to the agency management documents that were given out in October. ED asked the Board to provide feedback on all the documents to bring back in January. Director Robinson stated that the plan looked great so far and he noted that one of the immediate goals that was in the draft plan is the hiring of a Grant consultant and he asked what the update was

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on the use of the funds that member agencies provided for the hiring of a consultant. ED stated that the initial need for a grant writer in the fall had been cut as a number of the expected grant opportunities did not go through. ED stated that one of the tasks she has given staff while she is on leave is to write the RFP for a document finisher and grant writer. Director Robinson stated that he had not anticipated only having a grant writer, but more so someone who could identify which grants to go after. Director Robinson stated that he would like to have more discussion on the topic. ED shared with Board that Jeff Shore, Palo Alto Resident, has been working on putting together a future funding citizens group.

Art Kramer, Palo Alto resident, complimented ED and the JPA staff on the draft strategic plan, but said that there was one comment missing: that the plan is based on the Corps project. Mr. Kramer stated the plan needs to have input on the consideration for projects outside of the corps.

**State Funding update:**

ED provided the Board with a brief update on current state funding opportunities. ED told the Board that Kevin Murray, JPA Project Manager, would be handling the Grant application for a DWR Grant that was due January 4th.

**7) WATERSHED COUNCIL UPDATE:**

ED gave the Board an update on the Watershed Council stating that staff was prepared to come back to the Board with a full detailed presentation on the JPA absorbing some of the task of the Watershed Council, however when meeting with the Management Advisory Committee of the Watershed Council a decision had been made for Acterra to be offered the first right of refusal of those task as opposed to the JPA.

Director Drekmeier recused himself from the discussion.

Trish Mulvey shared with the Board that the Acterra Board did decide to take on the Core tasks of the Watershed Council. Mrs. Muvley thanked everyone for the great experiences she had with working with the Watershed Council. ED thanked Mrs. Mulvey for all of her hard work and knowledge.

**Board Member note**

Director Drekmeier shared with the Board that as part of the Stanford University Medical Center proposed expansion of 1.3 million square feet, Stanford and Palo Alto are discussing mitigation for the impacts as well as the community benefits. Director Drekmeier stated that he had asked for part of the negotiations to look into the possibility of water retention basin(s) on Stanford land within the upper watershed. Director Drekmeier stated that Stanford had not been very excited about water basin in the past but we may now have a bit of a bargaining position.

**8) ANNUAL MAINTENANCE WALK AND WINTER PREPAREDNESS ACTIVITIES:**

ED presented the Annual maintenance walk and winter preparedness memorandum for approval. Director Drekmeier moved to approve the memorandum. Director Robinson seconded. Memorandum approved 5-0.

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9) **BOARD AND ASSOCIATE MEMBER REPORTS** - *Agendized reports from Board and/or Associate Members requesting Board action.* – None

10) **BOARD AND ASSOCIATE MEMBER MATTERS** - *Non-agendized comments, requests, or announcements by Board and/or Associate members, no action may be taken.*  
Director Kwok shared with the Board that the SCVWD and the City of Palo Alto had a great meeting to discuss communication between the two entities and that a follow-up meeting would happen in January.

Director Robinson asked if there had been any development on the potential widening of the 101. ED said that there has not been any new information developed.

ED reminded the Board that she would be on a six week leave of absence and that Chairperson Abrica and Director Robinson have agreed to make themselves available for staff during that time.

Chairperson Abrica reminded the Board that the JPA helps to facilitate an annual OES meeting and it was time to get it scheduled. ED stated that the meeting should be scheduled late January or early February.

Director Drekmeier shared with the Board the new Palo Alto system called CANS that notifies people of emergencies by phone.

11) **ADJOURNMENT:**

Chairperson Abrica adjourned the meeting at 5:48 pm.