

**San Francisquito Creek Joint Powers Authority  
October 27, 2022, Regular Meeting of the Board**

Director Abrica called the meeting to order at 3:41 p.m. 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 Ruben Abrica, City of East Palo Alto  
Director Drew Combs, City of Menlo Park  
Director Gary Kremen, Santa Clara Valley Water District (Valley Water)  
Director Dave Pine, San Mateo County Flood and Sea Level Rise Resiliency District

Members Absent: Director Pat Burt, City of Palo Alto

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

Legal Present: Trisha Ortiz

**2) APPROVAL OF AGENDA**

ACTION: Motion and second (Combs/Pine) to approve the agenda, passed 4-0.

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

Director Burt not present.

**3) APPROVAL OF MEETING MINUTES: June 23, 2022, Regular Meeting, August 11, 2022, Special Meeting, and September 22, 2022, Regular Meeting minutes**

ACTION: Motion and second (Kremen/Abrica) to approve June 23, 2022, Regular Meeting, August 11, 2022, Special Meeting, and September 22, 2022, Regular Meeting minutes, passed 4-0.

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

Director Burt not present

**4) PUBLIC COMMENT**

None.

**5) CONSENT AGENDA**

Consider adopting a resolution (22-10-27-A) reconsidering the circumstances of the COVID-19 state

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of emergency and making findings to authorize public meetings to be held via teleconferencing pursuant to Government Code Section 54953(e).

ACTION: Motion and second (Pine/Combs) to approve the Consent Agenda passed 4-0.

Roll call vote:

Director Abrica Aye

Director Combs Aye

Director Kremen Aye

Director Pine Aye

Director Burt not present.

**6) ACTION ITEMS**

Discussion regarding the SFCJPA's Vision and Mission Statements and possible direction to staff. Ms. Bruce provided a summary of the SFCJPA's Vision and Mission Statements and recommended changes. Director Abrica opened the discussion by providing historical context explaining the need to clarify SFCJPA's position on shoreline projects.

Director Kremen expressed his dislike of the edits to the Vision statement as the edits do not seem to reflect the core responsibility of protecting people and property first.

Cecilia Taylor, City of Menlo Park Council Member representing District one (and SFCJPA alternate) expressed her support for the updated mission and the inclusion of the language regarding the SFCJPA's shoreline projects. Ms. Taylor thanked the SFCJPA staff and Board.

Cade Cannedy, Climate Resilient Communities, stated that he strongly supports the updated vision and mission statements. Mr. Cannedy gave appreciation for the SFCJPA's incredible leadership.

Director Pine stated that he fully supports the inclusion of language for shoreline projects.

Director Kremen commented that he and Director Burt have questions regarding the scope of the SFCJPA's shoreline project(s) and he acknowledged the absence of Director Burt at the meeting.

Director Abrica concurred with Director Pine regarding the addition of the language of the shoreline projects. Director Abrica reminded the Board of past Board discussions/debates in which the Board ultimately decided to move forward with shoreline project(s) with SAFER Bay.

Director Combs offered to clarify that he believes Director Kremen's concerns are related to making sure that the additional scope of work does not deter the SFCJPA from the core vision and mission of protecting people and property. Director Combs concurred with Director Abrica that the SFCJPA did decide to and has been doing shoreline work. Director Combs acknowledged that the discussion is not a matter of deciding on if the SFCJPA should do shoreline work, but rather revisiting if the SFCJPA should continue to do shoreline work. Director Combs stated that the SFCJPA is a critical component of shoreline work and that he is not willing to see it removed.

Director Kremen commented that maybe the projects need to be more clearly defined as Valley Water cannot do work in Redwood City. Director Abrica suggested the Board have a study session at the next meeting of the Board at which legal representatives from the SFCJPA and each member agency as well as the CEO's of both One Shoreline and Valley Water are leading the discussion and putting everything on the table. Ms. Bruce reminded the Board that over four million dollars has been received for SAFER funding and that if there was a change in scope the funding could be called back into question. Director Abrica stated that grant information, contracts, legalities all information needs to be, and all experts need to be provided at the study session.

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Director Pine stated that he is the President of the SFBRA and that the SFBRA has understood that that the SFCJPA was always moving forward with SAFER. Otherwise, the grants would never have been awarded.

Director Combs stated that we need to clearly understand if the Board needs to have a vote reaffirming the SFCJPA's position solidifying the decision to not have the open question any longer.

SFCJPA Staff was directed to agendize a study session for the November meeting of the Board.

Discussion regarding scope of agency purposes in the Draft Second Amended Restated SFCJPA Members' Agreement and possible direction to staff.

Discussion deferred to next meeting of the Board.

Discussion and possible action to direct staff to negotiate a contract with EMC Planning Group, Inc. to conduct a Supplementary Environmental Impact Report (S-EIR) related to the construction of the Reach 2 Palo Alto and East Palo Alto 'top-of-bank' features.

ACTION: Motion and second (Kremen/Abrica) to direct staff to negotiate a contract with EMC Planning Group, Inc. to conduct a Supplementary Environmental Impact Report (S-EIR) related to the construction of the Reach 2 Palo Alto and East Palo Alto 'top-of-bank' features passed 4-0.

Roll call vote:

Director Abrica Aye

Director Combs Aye

Director Kremen Aye

Director Pine Aye

Director Burt not present

**7) INFORMATION ITEMS**

Executive Director's Report

Ms. Bruce provided a summary of her Executive Director's report.

Jeffrey Shore asked if the SFCJPA would be able to be awarded attorney fees from the Joshua Suit. Trisha Ortiz, SFCPA legal representative responded saying no.

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

Director Abrica and Ms. Bruce congratulated Ms. Harris-Parker on her recent educational and professional accomplishments. Director Abrica acknowledged Ms. Harris-Parker's hard work and commitment as a working adult going to school. Board members offered congratulations to Ms. Harris-Parker.

**9) ADJOURNMENT**

Adjourned at 4:38 pm.

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