

**San Francisquito Creek Joint Powers Authority**  
**October 28, 2021, Board Meeting Minutes**

Director Abrica called the meeting to order at 3:32 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 Pat Burt, City of Palo Alto

Members Absent: Director Dave Pine, San Mateo County Flood and Sea Level Rise Resiliency District

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

Legal Present: Trisha Ortiz

**2) APPROVAL OF AGENDA**

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

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

Director Pine not present.

**3) APPROVAL OF THE SEPTEMBER 23, 2021, REGULAR BOARD MEETING MINUTES**

ACTION: Motion and second (Burt/Combs) to approve the September 23, 2021, Regular Board meeting minutes passed unanimously 4-0.

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

Director Pine not present.

**4) PUBLIC COMMENT**

None.

**5) Executive Director Report**

Ms. Bruce presented the Executive Director's report which included updates related to the commemorative plaques, monitoring and maintenance for the downstream project; updates on

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public outreach to property owners for Reach 2; updates on the design evaluations, cultural survey, developing of concept design and the estimated time of completion for the feasibility technical memorandum for Reach 3 and updates on the Measure AA grant application for the SAFER project. Ms. Bruce and members of the Board acknowledged and congratulated Ms. Harris-Parker for her sixteenth year of service with the SFCJPA.

Director Abrica asked about the delay in receiving the DWR grant funds. Ms. Bruce explained that DWR notified SFCJPA staff that a check had been mailed then returned to DWR with a stamp saying undeliverable. As a result, DWR canceled the check then re-submitted the check through their accounting process. Ms. Bruce said that DWR anticipates we should have the check in hand within a few weeks.

**6) ACTION ITEMS**

Consider resolution authorizing public meetings to be held via teleconferencing pursuant to Government Code Section 54953(e) and making findings and determinations regarding the same  
ACTION: Motion and second (Abrica/Kremen) to approve Resolution NO. 21-10-28 A authorizing public meetings to be held via teleconferencing pursuant to Government Code Section 54953(e) and making findings and determinations regarding the same passed unanimously 4-0.

Roll call vote:

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

Director Pine not present.

Trisha Ortiz, Legal representative for the SFCJPA, provided a synopsis of Government Code Section 54953(e).

Director Combs asked when the Board will have a discussion on determining if/when we will return to in person meetings and or will we pursue having a hybrid setup whereby attendees will be able to join in person and online.

Director Abrica suggested we agendize this topic in November.

Director Burt shared that the City of Palo Alto will allow members of the public to attend City Hall meetings after January 1, 2022.

Consider resolution to approve contract with H.T. Harvey to conduct Maintenance, Monitoring and Reporting in compliance with Reach 1 permit conditions.

ACTION: Motion and second (Burt/Combs) to approve Resolution Number 21-10-28 B to approve a contract with H.T. Harvey to conduct Maintenance, Monitoring and Reporting in compliance with Reach 1 permit conditions passed unanimously 4-0.

Roll call vote:

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

Director Pine not present.

Consider acceptance of the 2021-2022 Comprehensive Plan Update.

ACTION: Motion and second (Abrica/Burt) to approve Resolution Number 21-10-28-C accepting the 2021-2022 Comprehensive Plan Update passed unanimously 4-0.

Roll call vote:

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

Director Pine not present.

Director Abrica requested adding additional organizations to the stakeholder/different organizations section of the plan. Director Abrica would like to add Woodland Park Community and West Bayshore Community organizations.

Review and approve Personnel Committee's proposed process for Executive Director review, which will be integrated into the Board and Employee handbooks.

ACTION: Motion and second (Burt/Combs) to approve the Personnel Committee's proposed process for Executive Director review passed unanimously 4-0.

Roll call vote:

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

Director Pine not present.

**7) BOARD STUDY SESSION**

Discussion of Potential Reach 2 Funding Framework

Ms. Bruce opened the study session providing a summary of the currently known financial outlook for the Reach 2 project.

Director Burt asked for an estimation on knowing when we will have clear indications on the grants. Mr. Murray replied that he hopes within six months, but he cannot guarantee that timing.

Director Burt asked if the numbers presented included the cost of inflation or are they based on current 2021 rates. Ms. Bruce replied that these numbers, provided by Valley Water, are based on current costs.

Director Combs commented that there are several factors still waiting to be determined that will influence the budget and as a result he does not believe that we can find fix to the funding gap at this time. Director Kremen concurred with Director Combs comments. Director Kremen stated that members of the Board also need to take this discussion back to their individual Boards/Councils as well.

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Director Abrica questioned if there were any potential delays with the Water Board. Director Abrica commented that the past delays and conflicts with the Water Board caused delays on our process. Director Abrica asked if there was an opportunity to be proactive in communicating with members of the Water Board's Board of Directors to and staff. Director Burt concurred with Director Abrica's comments. Mr. Murray stated that the Reach 2 project is less complex regarding sensitive habitat but is more complex with regards to hydraulics. Mr. Murray stated that the fact that we will be working with the same senior staff from Reach 1 is advantageous. Director Kremen concurred with Director Abrica and Director Burt on having members of the Board with members of the Water Board's Board of Directors.

Director Burt mentioned that the City of Palo Alto is hoping to be able to use some of the stockpile soil for a homeless housing project.

Director Burt suggested creating a table that lists all of the current funding sources. Director Burt asked if staff was aware of any other grant funding sources. Ms. Bruce replied that she believes there may be some additional grants available to pursue but that with the new Federal bills in Congress right now there will be more grant opportunities in the future.

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

Director Burt shared with the Board that he recently met with representatives from Santa Clara County who mentioned to him that they had applied for a grant to study impacts of wildfires in the county. Director Burt mentioned to the group that the SFCJPA is looking into the effects of wildfire in the watershed and suggested that maybe the two groups can work together. Director Burt also mentioned that Stanford Academics is also taking a lead role on this. Director Burt suggests the SFCJPA move forward with a collaboration.

**9) ADJOURNMENT**

Adjourned at 5:01 pm.

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