



SAN FRANCISQUITO CREEK
JOINT POWERS AUTHORITY

Notice of Regular Meeting of the Board of Directors

Thursday, July 22, 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/85635354196?pwd=UDJzK2RCWmpQbS95U09ONVZUbjBrUT09>

Meeting ID: 856 3535 4196

Passcode: 836884

(669) 900-6833,,85635354196#,,,,*836884#

Agenda

1. CALL TO ORDER AND ROLL CALL
2. APPROVAL OF AGENDA: Changes or additions to the agenda.
3. APPROVAL OF MEETING MINUTES: June 24, 2021 Regular Meeting
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

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

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SFCJPA.ORG



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7. CLOSED SESSION

Public Comment on Closed Session: Individuals may speak up to three minutes.

A. Public Employee Performance Evaluation

Title: Executive Director

B. Report from Closed Session

8. 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 July 19, 2021 at sfcjpa.org -
- click on the "Meetings" tab near the top.



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July 22, 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: June 24, 2021 regular Board meeting.

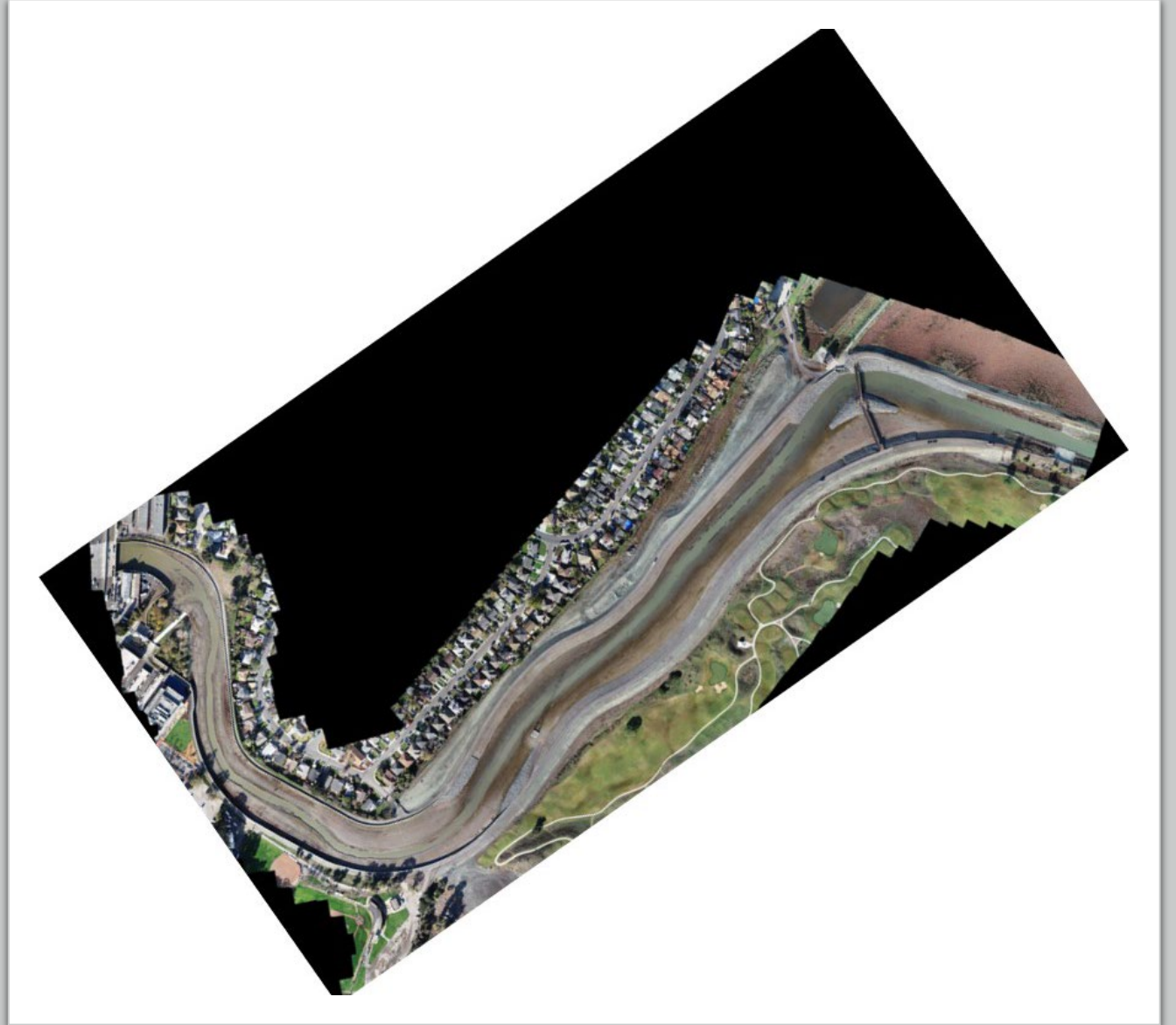
4. PUBLIC COMMENT: *Individuals may speak on a non-agendized topic for up to three minutes on a topic within the SFCJPA's jurisdiction.*

Agenda Item 5A
Executive Director's
Report –
Information Items

Reach 1 – Downstream
Project

*** Solicitation issued for**
Monitoring and
Reporting

*** Interpretive panels**
and commemorative
bench design in progress



Reach 2 - Upstream

The multi-agency meeting on June 29 resulted in a few action items which staff is addressing.

Continuing design evaluation and changes to reduce impacts.

LEDPA to be submitted in September

Outreach to Palo Alto property owners is in progress.

USACOE CAP 205 team charrettes scheduled.



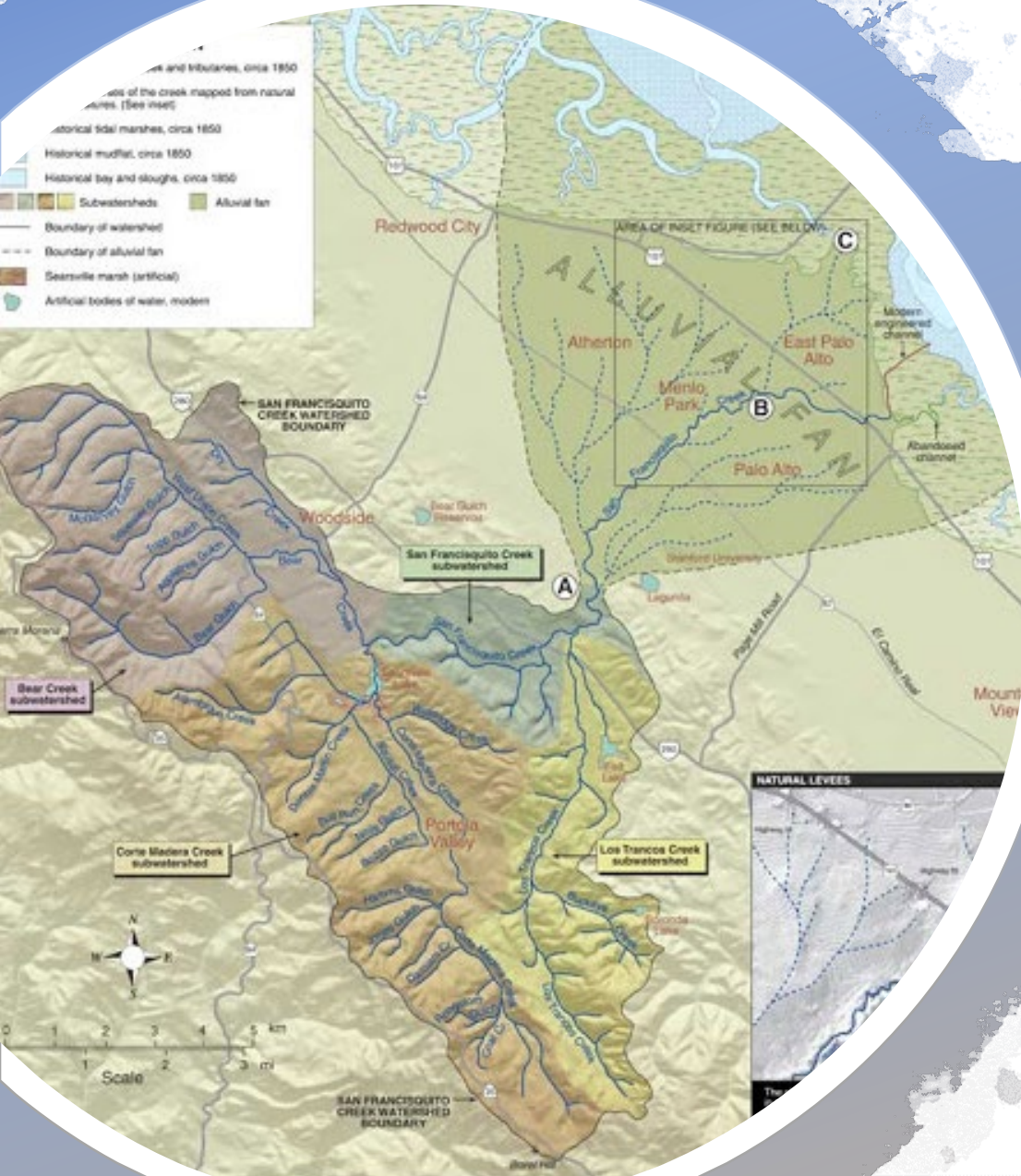
Reach 3 - 100-Year Flood Protection, evaluating detention basins

Initial site investigations complete.

Information gaps memo drafted and in review.

Informal consultation with wildlife agencies planned.

A Feasibility Technical Memorandum planned for completion by end of the calendar year.





SAFER Bay

The Menlo Park BRIC application has been approved for additional evaluation. This is good news!

Presentation to the BRRIT is scheduled for Sept. 1.

Our Notice of Preparation (NOP) will be released in September.

We will be applying for Measure AA grant funding. Application due Oct. 7.



Agenda Item 5A **Executive Director's Report –** ***Information Items***

Administration/Operations -

Banking Transition is functionally complete.

Together with members, we are planning and hosting a webinar about FEMA Risk 2.0 on August 24.



Reminders

Comprehensive Plan Comments

Thanks to those who have already provided input.

We would like the Board and community to provide comments or feedback by the end of August.



Agenda Item 6

BOARD MEMBER COMMENTS and ANNOUNCEMENTS

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



Agenda Item 7 Closed Session

7. A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION TITLE: Executive Director

7. B. Report from closed session



Agenda Item 8

Adjournment

Thank you, everyone.



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Director Combs called the meeting to order at 3:31 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 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

Members Absent: Director Abrica, City of East Palo Alto, Director Kremen Santa Clara Valley Water District (Valley Water)

Alternates Present: Director Lisa Yarbrough-Gauthier (Not present at roll call)

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 (Burt/Pine) to approve the agenda passed 3-0.

Roll call vote:
Director Burt Aye
Director Combs Aye
Director Pine Aye
Director Yarbrough-Gauthier Not present at time of vote.

Director Abrica Not present
Director Kremen Not present

3) APPROVAL MAY 27, 2021, REGULAR BOARD MEETING MINUTES

ACTION: Motion and second (Burt/Pine) to approve the May 27, 2021, Regular Board meeting minutes passed 3-0.

Roll call vote:
Director Burt Aye
Director Combs Aye
Director Pine Aye
Director Yarbrough-Gauthier Not present at time of vote.

Director Abrica Not present
Director Kremen Not present

4) PUBLIC COMMENT

None.

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5) INFORMATION ITEMS

Executive Director's Report

Ms. Bruce presented her Executive Director's report providing updates related to the Reach 2 and SAFER Bay projects, collaboration and outreach efforts with partners, the Flood Warning system, funding updates, comprehensive plan updates, and SFCJPA operational updates.

Director Yarbrough-Gauthier arrived at 3:37 pm.

Debrief on outcome of Joshua suit

SFCJPA Legal representative, Trisha Ortiz, informed the Board that on June 4, 2021, the court denied Mr. Joshua's petition. Mr. Joshua has some period of time to appeal the decision.

6) BOARD DISCUSSION

Project Funding – Discuss funding elements

Ms. Bruce provided a summary of the currently known information regarding the project funding for Reach 2.

Director Combs asked if the 8.9 million dollars listed for the Newell Bridge project is the cost of the project or if subsidy will be needed. Ms. Bruce stated that the Caltrans grant that was awarded for the project needs to have a local match which is being provided through Valley Water Measure S funds. Mr. Murray stated that cost changes could draw down on the local resources.

Michele Jeremias, Senior Engineer, City of Palo Alto Public Works Department stated that the Caltrans grant provides 88.5 percent of the project costs and local match is responsible for the remaining 11.5 percent. Ms. Jeremias explained that the grant was approved to replace an obsolete bridge. The CalTrans grant was not approved for a flooding project and if more funding is needed it would need to be provided through a local funding match.

Director Pine asked for a status update regarding the Army Corp of Engineers. Ms. Bruce shared that a Feasibility Costs share agreement was signed last month and that there will be a project team meeting that will be taking place soon that will provide updated information.

Director Burt asked for an explanation of the HMGP grant funding. Ms. Bruce explained that the grant was applied for in 2017 and that we are expecting to receive funding in 2022. Ms. Bruce stated that she has contacted CalOES for a status update.

Director Burt mentioned that years ago the SFCJPA had once considered creating a financing or assessment district and he asked about the status of that idea. Ms. Bruce explained that with the other assessment districts that are currently in place this idea has not been pursued further.

Director Pine asked what the target date of when the funding gap discussion needs to be completed. Ms. Bruce stated that we cannot bid without the funding set in place. Mr. Murray stated that funding arrangements should be wrapped up by January 2023 for construction to begin by April 2023.

Comprehensive Plan review and update

Ms. Bruce presented the Comprehensive plan updates for review. Director Combs congratulated staff on a job well done.

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

Director Burt shared that he received a briefing from Stanford on their fire protection program.

Director Yarbrough-Gauthier stated that she is working with the Silicon Valley Leadership group that is holding a conference on climate change Friday, June 23, 2021. Director Yarbrough-Gauthier stated that she has free invitations for anyone who is interested in attending.

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8) ADJOURNMENT

Adjourned at 4:41 pm.

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

Executive Director’s Report, July 22, 2021

Project Updates

Reach 2 Project -

Channel Widening -

We have begun additional outreach to property owners from whom we may or will need additional construction easements to install the currently proposed widening elements. Some are eager to support the project, and some have expressed concerns with potential impacts to their properties. At this stage, the JPA’s role is to engage in informal communications with property owners, share information about the current plans and designs, listen to their concerns, and consider ways to reduce impacts when possible. Valley Water will be the lead on easement acquisition from homeowners in Palo Alto. Easement needs in East Palo Alto and Menlo Park are limited to public lands and private properties with existing flood control easements. Agreements with San Mateo County and the SMC Flood and Sea Level Rise Resiliency District will be developed to enable construction on the existing easements.

USACE Feasibility Cost Sharing Agreement (FSCA) and Project/Coordination -

The Feasibility Cost Share Agreement (FCSA) is now fully executed, and we have begun our work with the US Army Corps on channel widening along Reach 2. The Corps has assembled their Project Delivery Team of technical experts and have scheduled a set of kick-off charrette meetings beginning in late July. Partnering with the Corps at this stage of project development affords us additional project design resources and potential federal funding up to \$10M.

Summary of Reach 2 Project Elements and Status

Reach 2 Elements	Design	Permitting	Rights of Way	Utility Relocations	Construction Funding
Status	50% - 90%	Work is underway on potential optimization of widening sites to minimize impacts to trees, creek channel and property owners	Coordination ongoing between SFCJPA and Valley Water re. rights of way process, roles and responsibilities.	Utility mapping underway.	Construction funding gaps table is current.

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 Executive Director's Report

Reach 2 Elements	Design	Permitting	Rights of Way	Utility Relocations	Construction Funding
This Month's Update	<p>A new alternative is being evaluated to determine if it is possible to further reduce impacts to creek channel and trees as part of LEDPA analysis.</p> <p>Determination to be made by the engineer of record.</p>	<p>Multi-Agency meeting held on June 29.</p> <p>Agency reps provided feedback on project designs. Staff is integrating agency input into permit application materials.</p>	<p>Monthly working group with technical staff from each JPA member agency continue.</p> <p>Staff received briefing from legal counsel on eminent domain process.</p> <p>Notice of Determination to appraise property owned by San Mateo County for Reach 2 easement to be brought to Board in October.</p>	<p>Staff contacted PG&E in March 2021 and PG&E has assigned a project manager. An onsite meeting is planned for August to begin discussion of electric transmission lines at Pope Chaucer Bridge.</p> <p>Menlo Park, Palo Alto, VW and JPA staff met to collaborate on design of water line tie in at Pope-Chaucer bridge that is being funded by Menlo Park.</p>	<p>We have begun a new Benefit Cost Analysis (BCA) which may enable additional FEMA funding for Pope-Chaucer Bridge construction</p>
For Next Month (August)	<p>Update on determination of Engineer of Record, and design modifications to reduce impacts.</p>	<p>Impacts calculations to be completed by end of July. Draft 401 materials to be submitted late summer.</p>	<p>Following engineering evaluation of potential new alternatives, outreach to all Reach 2 property owners will be advanced.</p> <p>JPA staff and</p>	<p>Initiate coordination of utility relocation for overall project with PGE, not just Pope Chaucer Bridge. Develop cost estimates</p>	

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Reach 2 Elements	Design	Permitting	Rights of Way	Utility Relocations	Construction Funding
			legal will begin drafting documents for San Mateo County. VW will initiate easement acquisition legal process for Santa Clara County.	with utility companies	
Potential Issues	SCVWD is backlogged for updating CAD for several projects – could cause delay or require change of Engineer of Record.	Addition of fish migration elements could increase project footprint and costs	Negotiating with private property owners	Overhead power lines – or other utilities - could impact construction methods and costs.	Not all funding sources have been secured through agreements and others have timelines that must be met

Reach 2 Milestones

Milestone	By Sept '21	By Jan '22	By July '22	By Jan '23	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					
Construction of Newell Bridge					2023
Construction of Widening Sites					2023
Construction of Pope Chaucer Bridge					2024

Pope-Chaucer Bridge Update -

Valley Water has not made changes to the design plans of the Pope-Chaucer bridge. However, at the request of the SFCJPA, a reevaluation of hydraulic scour was initiated to determine if there is justification to reduce the amount of grading and rock slope protection. In addition, the design team plans to evaluate the type of rock slope protection to be used, and continued work to preserve more existing trees.

Reach 2 Project Permitting –

A multi-agency meeting was convened on June 29 and attended by representatives from the Regional Water Quality Control Board, California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, and National Marine Fisheries Service. The purpose of the meeting was to discuss potential improvements to fish habitat, restoration features and future sediment management, as these items are vital to our planned permit applications. We are on schedule to submit draft materials later this summer to continue our pace for receiving construction permits in September 2022. While we believe we may be able to eliminate widening at Site 5, our strategy for permitting is to include Site 5 in our permit applications so that we can plan for full mitigation of all potential construction impacts.

Upstream Detention Evaluation -

Staff and our consultants have completed the initial round of evaluation and have developed an information gaps technical memo which lays out the additional information needed to complete assessment of the feasibility of off-line detention on Stanford property. Over the next several weeks we will conduct an informal consultation with the National Marine Fisheries Service (NMFS) and potentially others to solicit input on the conceptual design of the diversion weir and detention basin for fish health and well-being. The report recommended collection of infiltration and geotechnical data to confirm concepts, as well as environmental screening data. We continue to work closely with Stanford University to coordinate our evaluation efforts in a manner respectful of property leaseholders and current land use.

There are still significant feasibility and logistical challenges for potential detention basins. These include not only the need for significant excavation and material off-hauling, limited access for construction equipment, protected species and cultural resources, but also the likely need for involvement by the California Division of Safety of Dams (DOSD) for above ground embankments. We will continue to collect data to advance the evaluation over the next 2-3 months, with the anticipation of completing a Feasibility Technical Memorandum that weighs the costs and impacts of the optimized concept design against potential flood reduction benefits by the end of the calendar year.

SAFER Bay –

Funding –

The Menlo Park FEMA BRIC Grant application is among those listed by FEMA for next steps and getting “additional information”. We are not assured of an award, but it is very encouraging

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Executive Director's Report

that we have made it to this critical step. We continue to work with the City of Menlo Park, and will assist as needed in their planned Study Session on August 31.

We have resumed a few key activities with the design and permitting team so that the project can move forward. We plan to issue a Notice of Preparation in September.

We will be applying for a Measure AA grant. Applications are due October 7, 2021.

Project Status –

A limited restart of project activities began early July and is focused on environmental documentation. A meeting with the San Francisco Bay Restoration Regulatory Integration Team (BRRIT) is planned for September 1.

An onsite meeting was held at the PG&E Ravenswood Substation on June 22 with representatives of local and State officials, with Board Chair Ruben Abrica and Vice Chair Drew Combs in attendance.

The project is awaiting forward movement from the Hazard Mitigation Grant Program in East Palo Alto. We are still awaiting receipt of a check from DWR and thus have limited funding available at present.

Reach 1 Project -

We released a Request for Proposals on July 1 for a consultant to provide mitigation monitoring and reporting, as well as recommendations for periodic maintenance activities, for the project's mitigation sites for years 4 through 10 (2022 through 2028). We have promoted this solicitation through various outreach lists and media. We anticipate bringing a contract to the Board for approval in September. This new contract is fully funded by the approved 2021/22 Operational Budget.

Interpretive signs:

Together with our design consultant we have developed draft graphics and text. We are reviewing and refining the text. We anticipate finalizing text and design in August, in preparation for fabrication in September and installation in October.

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.

Comprehensive Plan Update

We are soliciting comments on the Comprehensive Plan through August 31. We will bring the updated Comprehensive Plan to the board for adoption in September.

Organization/Administration Updates -

- We had almost 500 unique visitors to the SFCJPA website in the past month representing a 15% increase from last month.
- We are planning and coordinating with members to host a webinar featuring a speaker from FEMA HQ to present on the new FEMA Risk 2.0, risk rating and flood insurance program. The date of the webinar is Tuesday, August 24 from 10 – 11am. The new Risk 2.0 methodology will change insurance ratings for many of the SFCJPA’s community members.

In the News

Chief Schapelhouman retires.

[Strength and service: Retired fire chief reflects on his 40-year career in the community | News | Palo Alto Online |](#)

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 is updated for each Board Meeting.

Regular Board meeting	Envisioned Agenda Items
August	Summer Board Recess. No meeting planned.
September	Guest presentation by Stanford University regarding the Searsville project. SAFER Bay update. Reach 1 Maintenance, Monitoring and Reporting contract. HDR Contract modification for SAFER SFCJPA - FSLRRD intersection of roles and responsibilities Study Session. Comprehensive Plan 2021 edition acceptance/ratification.

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Regular Board meeting	Envisioned Agenda Items
October	Winter Preparation Policy updates Notice of Determination to appraise property owned by San Mateo County for Reach 2 easement
November	Members Agreement (tentative)
December	Three-year rolling workplan review and update
January	Election of new board member positions; review updated Board handbook