

**MINUTES
SAN FRANCISQUITO CREEK
JOINT POWERS AUTHORITY BOARD
05 January 2006**

Director Duboc called the meeting to order at 1:04 pm at the City Of Menlo Park Council Chambers, 701 Laurel Street, California.

1) ROLL CALL

Members Present: Director Duboc, City Of Menlo Park Vice-Chair
Director Mossar, City of Palo Alto
Director Abrica, City of East Palo Alto

Alternates Present: Director Kishimoto, City of Palo Alto

Members Absent: Director Gordon, San Mateo County of Flood Control District
Chairperson Zlotnick, SCVWD

Associate Members: Pam Sturner, Watershed Council; Katie Pilat Watershed Council

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

Others Present: Anne Ream, Representative of Congresswoman Eshoo's office; Bill Callahan, San Mateo County OES, Debra O'Leary, City of East Palo Alto/COE liaison; Jason Christie, SCVWD; Jim Choate, SCVWD; Mickie Winkler, Menlo Park City Council; Karen White, Palo Alto resident; Jeff Shore, Palo Alto resident; Pat McGuire, Palo Alto resident; Harold Schapellhouman, Menlo Park Fire District; Kiesha Evans, East Palo Alto resident; Walter Lowenstein, Palo Alto resident; Arthur Keller, Palo Alto resident; Jay Farr, City of East Palo Alto; Dennis Burns, City of Palo Alto; J.C. Hill, East Palo Alto resident; Tim Sullivan, resident; Joe Teresi, City of Palo Alto; Ray Elliott, Menlo Park resident; Don Letcher, Mountain View resident; Art Kraemer, Palo Alto resident; Brad Eggleston, City of Palo Alto; John and Mary Schaffer, Palo Alto residents; Audrey Seymour, City Of Menlo Park; Viv Blomenkamp, Palo Alto resident; Judy Kleinburg, Mayor Palo Alto; Barbara Cimunio, City of Palo Alto, Nick Marinaro, Fire Chief City of Palo Alto

2) APPROVAL OF AGENDA

Agenda approved, 3-0

3) CONSENT CALENDAR

None

4) **PUBLIC COMMENT** – Director Mossar motioned to have public comment moved to end of meeting. Director Abrica seconded. Motion to move public comment passed 3-0.

5) REGULAR BUSINESS

None

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6). ADJOURN TO STUDY SESSION Director Duboc, acting Chair, adjourned the meeting at 1:05 p.m. for Study Session presentation.

- Debriefing of events, clean – up, and response activities associated with San Francisquito Creek and the December 30, 2005 to January 3, 2006 storms.

Executive Director Cynthia D’Agosta thanked everyone present for gathering together on such short notice, to discuss the results of how each city and county was able to respond to the past weekend- storms. Ms. D’Agosta started the discussion with the main focus of the special meeting; what were the observed systems and community differences from 1998? What worked differently or better for each city and county compared to the 1998 flood season noting the success of the Creek monitors as one such change, and how not only the staffs of the member agencies found the Creek monitors useful but that also the residents within the watershed found the monitors helpful.

Bill O’Callahan of the San Mateo County OES stated the differences for his agency’s office in comparison to the 1998 floods were; 1) opening twelve hours before hand resulting in a level one status, 2) gauges set up to read the creek levels that were not in place in 1998, 3) stayed in constant contact with the state OES, 4) initiated a conference call with all cities within the county once in the mid-morning and once in mid-afternoon discussing problems areas and plans of action.

Mary Schafer a resident of Palo Alto who was flooded in 1998 stated that the biggest difference to note for residents in particular was that the storms occurred during daylight versus those in 1998 that occurred through out the night.

Ralph (last name not recorded), a resident of Palo Alto whose home was not flooded but did have property that was flooded stated that in his opinion sand bags were not in close proximity as was the case in 1998; the Creek is far more engrossed with heavy vegetation now than it was in 1998; there has been no real work that has been done in a preventative nature to try to clean the Creek and make the flow better. He continued, stating that while the discussion [today] is necessary he feels that the results of the discussion are more reactive than pro-active and there needs to be more pro-active action occurring.

Ms. D’Agosta responded by saying that the SFCJPA coordinates every year a maintenance walk between the months of August and October, flagging debris that can be removed and then working with each city’s Public works department to remove flagged debris. In response to the removal of vegetation, Ms. D’Agosta stated that there are several programs in place for vegetation removal within the Creek and that the Watershed Council has specific programs established to first non-native species. Director Mossar noted that removal of all vegetation could possibly cause Creek banks to collapse. Ms. D’Agosta confirmed that much of the trees provide stabilization with extensive root systems. Also, a lot of the vegetation that lies in the Creek will actually lay down when there are high water flows. The nature of the brush is that it will lay down with the velocity and flow of the water in the Creek.

Ms. D’Agosta asked Jason Christie of the SCVWD to discuss how crews were responding to debris removal and the amount of work that going on with the past weekend’s storms. Mr. Christie gave a brief summary of the SCVWD’s involvement in the weekend’s storm situation stating that crews were prepped to be on call in advance of the weekend’s storms and sand bag locations were set-up with in Santa Clara County. A crew was immediately dispatched to the West Bay shore area for debris pick up. Ms. D’Agosta asked Mr. Christie if there was a crew team working on University Ave bridge. Mr. Christie stated that the crew located at West Bay shore was called for debris removal at University once West Bay shore was determined secure.

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The East Palo Alto Chief of Police gave his thanks, appreciation and gratitude to the SCVWD for their support and clean-up efforts with the weekend storms. The Chief of Police then stated that the overall mindset for the weekend storm was vastly different from the 1998 season as well as the communication between the City and the County OES. The Chief agreed that daylight was a key factor in preparations and though the City was much better prepared it was good to have this “test” to be able to identify the areas that still need improvement.

Ray Elliott, a Menlo Park resident who’s home is on the Creek stated that he has monitored the Creek for twenty years. Mr. Elliott stated that he has logs for the past twenty-five years of his Creek monitoring and that as far as he knew there was no one doing the type of monitoring his records provide. Mr. Elliott stated that he was a plaintive in the Pope Chaucer Bridge lawsuit, he was disposed by the attorney’s of the cities involved in the lawsuit and that he submitted his twenty-five year logs to the attorney’s for deposition and that the records are public now. Mr. Elliott stated that someone should be monitoring the Creek like he has done over the years. Mr. Elliott stated that he predicted the 1998 overflow and had awakened all of his neighbors to prepare them for it.

Glenn Roberts, Public Works Director for the City of Palo Alto responded stating that in 1998 we were depending upon visual observations and reacting to those visual observations. Today we have Creek monitors in place, we have the rain flow gage in Foothill Park and we are actually doing everything that Mr. Elliott suggested ought to be done. Mr. Roberts stated that Mr. Elliott’s observations of it being necessary to monitor the Creek are correct and we are doing it 365 days a year 24 hours a day. But that what needs to be done is better communication to the public about the procedures that are in place. Mr. Roberts stated that there are policies in place that begin with alarm systems that are located in the City of Palo Alto’s utility dispatch center that go off when the Creek levels reach 50% capacity, creating immediate communication that is sent to a public safety dispatch list which is done within a two to three hour time frame. Mr. Roberts stated that he received such a call at 3:00 a.m. Saturday. Mr. Roberts expressed that the systems worked well during the weekend storm and that what needs to be revisited or worked out is the communication to the residents and public within the two to three hour time frame.

J.C. Hill a resident of East Palo Alto presented a report along with photos he had taken of the East Palo Alto stretch of the creek during the weekend storm. The report details Mr. Hill’s efforts in communicating with his City’s Council members and staff in regards to the City’s levees. Mr. Hill made note of the crane that was being used to remove debris from the creek within Palo Alto stating that if the logs were removed at high tide, the downstream levee would definitely have flooded over. He continued explaining that there was no source of pumping the water out of the city if that did occur as three of the city’s four diesel pump engines were not working. The logs helped prevent the levee from overflowing. Mr. Hill said that after his many complaints about the pump station the city finally cleaned the area around the station but that was all that he had seen in regards to flood preparation and that the City does not even have an alarm system set in place to communicate possible flooding like other cities do. Mr. Hill mentioned the fact that the City of East Palo Alto is taking on the responsibility of the levees from San Mateo County and that he believes the City may be getting in over its head as the City is currently short staffed. Mr. Hill stated that the water flow of the Creek ends up in East Palo Alto with the city taking the brunt of the damage and while having the many meetings that are occurring and will occur is important, it is not getting actual action taken to help the residents in East Palo Alto. Mr. Hill concluded by thanking the staff of Palo Alto and the SCVWD for their efforts in trying to help with the debris clean up in East Palo Alto.

Ms. D’Agosta responded by thanking Mr. Hill for his reports and photos and expressed that his points are very valued. Ms. D’Agosta reminded everyone present that the discussion is to hear

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what worked and what did not work and be able to have clear communication between each city and county especially in cases of cross county communication.

Director Abrica [Mayor, City of East Palo Alto] stated that he was out in the city watching the levees and Creek from 8:00 a.m. until 3:00 p.m. on New Year's Eve and that while the overall city response was much better than it was 1998 there is still improvement needed mainly in cross-communication of the cities and counties. Director Abrica stated that the City is working on investigation of short-term fixes including possibly requesting emergency removal of sediment build in the lower reach.

Ms. D'Agosta asked Mr. Christie to speak about the SCVWD's sediment program. Mr. Christie stated that the program occurs every two years in collaboration with Cal Trans to remove sediment just downstream of Hwy. 101 and at West Bayshore Road. Mr. Christie mentioned that the removal of all silt would not be effective in increasing capacity of the creek channel, as the increased depth created would be almost immediately filled with tidal water carrying sediment. Ms. D'Agosta clarified that the purpose of the sediment removal program is to keep the storm drain valve in the area open and not necessarily to increase capacity of down stream, as it does not function in that way.

Director Mossar spoke of the importance of the discussion and that she was out over the weekend watching the levees East of Hwy. 101 and that it was pretty clear to her the relationship between the stretch of the Creek in East Palo Alto and the stretch just upstream in Palo Alto. Director Mossar stated that the comment that has been the most striking to her so far in the discussion of the day is that in Palo Alto it was wonderful that the SCVWD was taking the logs out of the Creek along Hwy. 101 and that if it had not been done, there probably would have been a situation of water overtopping. Yet for the residents in East Palo Alto that may have proved problematic as the logs slowed the flow of the water. Director Mossar said that she just wanted to underscore that relationship as this is a living experience that you can't do one thing without affecting someone else and that she hopes that emergency crews from all the different agencies work together to be prepared for future events. She continued stressing that some thought should go into what the relationships are between the cities adjacent to the creek such that if debris is being pulled from Palo Alto there is cooperation and coordination with the crews down stream so that everyone knows what is going on.

Executive Director Cynthia D'Agosta explained how the water in the Creek moves differently in the upper watershed than it does in the lower watershed and that the SFCJPA in coordination with the COE is looking to further understand how water flows through the Creek and the different configurations of the channel. Ms. D'Agosta also mentioned that the SFCJPA has taken on the task of inventorying the vulnerable trees within and along the Creek, and that the information will be communicated to the various cities staffs. This way we know where downed trees are more likely to occur during storm events.

Art Krammer, Palo Alto resident, gave praise to the workings of the Creek Monitoring system during the weekend storm.

Vivian Blumenkamp, Palo Alto resident, gave thanks to the City of Palo Alto for the two phone calls she received over the weekend notifying her of the Creek status.

J. C. Hill stated that the City of East Palo Alto does not have a phone system in place for its residents like the City of Palo Alto.

Mary Schafer, Palo Alto resident expressed her concern over the two-hour timing delay before contact is made with residents in the event of flooding. Ms. Schafer stated that residents were

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very fortunate that the flooding did not occur, however the process of who is called and when they are called needs to be re-examined as many residents who were in the most danger of flooding were not contacted at all. Ms. Schafer said she understood that the City of Palo Alto was going to implement a new phone system and she hopes the capacity will be greater so that everybody who is at risk will be notified. Ms. Schafer also stated that the Cities of Menlo Park and East Palo Alto need to implement the same type of phone system.

Bob Arnold, Palo Alto resident (last name not recorded, taken from notes provided by Mr. Jeff Shore), gave his appreciation of the Creek monitors, but questioned what is going to be done about the bridge at Chaucer Street?

Ms. D'Agosta commented that any actions taken on a smaller scale along the Creek would have a direct affect on the larger scale project. Ms. D'Agosta reiterated that the Creek needs to be looked at in totality not in piecemeal as we have heard today that what one City does can and will affect another.

Harold Schapellhouman, Division Chief of the Menlo Park Fire District, spoke of the Fire Districts responsibility of protection for citizens affected by high waters and flooding. Chief Schapellhouman said that a lot of people do not realize how many people were displaced in East Palo Alto in the 1998 and 2000 floods because all of the media coverage was on Palo Alto and Menlo Park. But that in East Palo Alto there were hundreds of people who were actually displaced from their homes. Chief Schapellhouman stated that while Menlo Park and Palo Alto will flood, East Palo Alto would have catastrophic flooding if the levees overtop or break, as the levees are level with the resident's rooftops. Chief Schaperhouman continued by saying that his team was involved in the Hurricane Katrina rescue and clean up and that East Palo Alto is a great concern of the Fire District. Chief Schapellhouman stated that the level of sophistication in the cities of Menlo Park and East Palo Alto are not the same as the City of Palo Alto. Chief Schapellhouman said that from the stand point of the Fire District they would probably rather see an evacuation signaling [air raid type sound] system than a web-based system that will not work if the power goes out. Chief Schapellhouman said that the Fire District had a special team put in place early in the week for the weekend of the storm event, as they had known there would be potential dangers arising from the storms.

Bill O'Callahan, San Mateo OES, stated that the county OES was implementing an emergency response system that would include flooding and that both the City Of Menlo Park and the City of East Palo Alto were included in the program which is expected to be in up and running within six months.

Joe Teresi City , Palo Alto Public Works staff member, shared a presentation of the weekend's storm and stated that the storm was recorded as the fourth highest flow rating for the Creek at 4,840 cfs (cubic feet per second). The presentation included a graph of the Creek water levels at various locations that is on line. Ms. D'Agosta reminded everyone present that different high tide levels are used throughout the Bay, and that when tides are being checked everyone needs to keep in mind time delays because each locations tide flow is different. The three locations reading tide levels one might see on line or read about are: Golden Gate Bridge area, at Palo Alto Baylands, and in Alviso (this is the one the SCVWD uses). Director Mossar stated that there should be something put on each city website stating what the high tides are for each city. Joe Teresi, stated that Palo Alto does already have the tide information on its website.

Kiesha Evans, East Palo Alto resident and Palo Alto business owner, stated that what is glaring to her is the fact that most of the information being provided stops at East Bayshore Road. The people in East Palo Alto who are affected live north and east [downstream] of East Bayshore Road where there is no monitoring or recording going on. Ms. Evans continued to state that even the

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charts presented in the meeting regarding the Creek do not address the residents living in East Palo Alto north east of the freeway. Ms. Evans stated that this information is crucial to have just as Chief Schaperhouman stated.

Ms. Evans noted that a difference between 1998 and this past weekends storm is that in 1998 boulders and large rocks were placed along the west-side of the Creek bank, protecting some of the homes, however when Ms. Evans was doing her daily walk on Tuesday January 3, 2006 after the storm she noticed that where the Creek meanders, going into the meander there were very few rocks and when the water hit that bulge it knocked some of the rocks out and they then knocked out some of the thicker rocks. Ms. Evans stated that she is not an expert but there has to be some plan in place so that where the meander comes and when the water hits it to prevent the flooding of the people who live along Jasmine and all the other streets in that area.

Ms. Evans also stated that while there were residents of East Palo Alto going to their City Council's homes to complain about flooding and being told that everything was ok, she herself was at her business at the same time getting the first of two calls from the Palo Alto alert system, informing her that there was a peak high tide at 12:30 p.m.; thereby proving that there is something wrong with the system as both cities were reporting different information to their residents and business owners.

Ms. Evans concluded by stating that most emergency systems by and large operate on electricity and telephone and increasingly there are people who have their telephone connected to their Comcast and when Comcast goes out they can not get reception and there are many people who have phones that plug in and when the electricity goes out there is no reception, therefore there really needs to be an emergency system set in place that address all communities and isn't dependent on electricity, not just separate systems for each city.

Ms. D'Agosta thanked Ms. Evans for her insight and comments and stated that while we do have a minimum amount of information on tide issues, the COE study project that the JPA has recently signed does include the study of tidal flooding in the project.

Tim Sullivan, Palo Alto resident, stated the Creek was very close to flooding just as it had done in 1998 and here we are eight years later and we would have been faced with the same problems we had then. Mr. Sullivan continued to say that that the reason for inaction of things like the Chaucer Street bridge is this thirty year plan in which maybe something will be done with the COE, and that we don't want to impact that plan. Mr. Sullivan believes that it is reasonable to make short-term adjustments like the Chaucer Street bridge. Mr. Sullivan said that in his observation nothing has been done and that if anyone walks the Creek they can clearly see that the vegetation growth is worse today than it was, and that we are worse off now than we were in 1998. Mr. Sullivan ended his comments by saying we know the Creek floods, we know where the Creek floods yet nothing is being done about and in the past ten years we should have been able to do something.

Mickie Winkler, Council member City of Menlo Park, stated that she agreed with Mr. Sullivan that a short-term plan is needed as well as a long-term plan. Ms. Winkler questioned the statement made by the SCVWD representative that the weekend flood was a close call, but they knew the Creek was not going to overflow. Ms. Winkler stated that if there had been some debris blockage at Pope Chaucer there would have surely been flooding, and the fact that there was not, was a lucky call - not a close call. Ms. Winkler expressed her disappointment in the City of Menlo Park's lack of response to the weekend near flooding. Ms. Winkler stated that she initiated the response to the city's Police Department and the Public Works Department to get crews in motion for emergency flood control procedures. Ms. Winkler said that City Public Works Department should have been the first to initiate emergency response not her. Ms. Winkler also stated that when the Police arrived at the Pope Chaucer Street bridge, the officer in charge was surprised that there was not an emergency telephone system in place. Ms. Winkler stated that with a little bit of prying from Mayor Jellins and herself, the officer in charge decided to use bullhorns to alert residents along the Creek that the Creek was very close to overflowing.

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Executive Director Cynthia D'Agosta replied to Mr. Sullivan's comments about short-term fixes. Ms. D'Agosta spoke of flood events that occurred in 1955 and the 1960's and how after those events "short-term" improvements were made to the Creek by individual jurisdictions including floodwalls, large boulders and sand bags to shore up some of the areas that were flooded in at that time. Ms. D'Agosta continued to say that then later in the 1960's the COE did a study to divert water off of the Creek by creating a diversion channel under Willow Road leading to the Bay, taking some off the high peak off and move it out into the bay, the project did not meet the cost benefit ratio required to proceed with a major federal project. The "short-term" improvements provided enough benefit so that the cost to build the diversion channel was too great. No major improvements were completed. Ms. D'Agosta stated that there has been a precedence set of doing smaller projects and then disturbing the fixes that could happen on the entire system losing the ability to serve all communities.

Ms. Winkler asked what cost benefit analysis if any has been used for the past, present and future Creek projects. Ms. D'Agosta stated that the procedure is complex and she did not have that specific formula information with her today, however the COE's process for developing a cost benefit ratio is available for anyone interested in studying the process.

A resident of the watershed stated that in 1998 there were 28 plaintiffs that were involved in a lawsuit with Cal-Trans, the City Of Menlo Park and the City of Palo Alto and they received almost \$4 million dollars and that the next time a flood occurs there will not be 28 plaintiffs there will be 128.

Art Kramer stated that he has a hard time understanding how if the Pope Chaucer Street bridge is fixed and saves \$50 million dollars worth of damage, that the cost benefit ratio for the big program at \$780million, is going to have a backbreaking affect.

Mary Schafer stated that she had concerns about the COE project as she read an article in the paper that stated the Napa River project has not received its matching funds for three years which is why there were so many problems in that area with the weekends storm. Ms. Schafer asked if the JPA project is going to run into a similar situation like that.

Ms. D'Agosta stated that she has asked the COE to send us information regarding the Napa River project as she had heard similar news about the lack of government funds. Ms. D'Agosta said that she does know that the Napa River is several years ahead of the JPA in its project and that the 75/25% funding split they are working under comes when a project goes to construction phase; but she does not know what has happened with their funding issues. Ms. D'Aosta stated that citizens sending their letters of support for this project will help in terms of the effort for us to continue to gain the funding and improvements that we need.

Robert, a Palo Alto resident spoke about his visits to the Creek over the weekend and stated that he noticed when he drove over East Bayshore and Hwy. 101 that the water level at about 11:30 a.m. was rather close to the top of the levee wall adjacent to Hwy 101. He continued by asking that if the capacity had been increased so that more water was flowing down to and under Hwy. 101, what would the affect had been on East Palo Alto; would we have inundated East Palo Alto with water because the water was rushing down?

Robert then questioned how the cost/benefit analyses were read and stated that weather you approve or disapprove of doing interim measures, as long as you understand the issue of the curve of risk and the value of what that risk would do in terms of damage, then you would have to understand that doing interim measures may prevent us from doing a long term solution.

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Nick Marinaro, Fire Chief City of Palo Alto thanked everyone for coming together and stated that he had a draft summary that the City of Palo Alto's Emergency Manager put together after a debriefing with Executive Staff. Chief Marinaro stated that the summary contains an action statement and recommendations from the residents. The issues in the summary include moving up the notification time(s), and having better communication with residents and SCVWD - especially regarding sand bag locations. Chief Marinaro stated that the Fire Department is open to any suggestions and recommendations that anyone may have for improving communication during an event like the past weekend.

7) RECONVENE MEETING

Director Duboc reconvened the meeting at 2:30 p.m. with roll call. Ms. D'Agosta recognized that JPA board members Director Zlotnick and Director Gordon could not come because of scheduling conflicts.

8) PUBLIC COMMENT

Judy Kleinberg, Mayor City of Palo Alto, expressed her thanks for the days' discussion; stating that she believes there are two things that have been talked about - prevention and response. Ms. Kleinberg said the JPA is long-term prevention and the officials who have been speaking in the discussion are the response. Ms. Kleinberg continued to say that she turned in a two page single spaced report to the Palo Alto City Manager in regards to feedback from residents and herself from the weekend's storm. Ms. Kleinberg stated that no one should be pretending that there is not a need for improvement as there are always points of improvement and that we need to forget about the governmental lines and work together as a region. Ms. Kleinberg stated that she requested the City Manager schedule a meeting for with Palo Alto residents to discuss the City of Palo Alto's emergency preparedness - thereby allowing the public to come forward with their opinions so that residents and staff and council members can call be open to work together.

Ms. D'Agosta gave closing remarks stating that it is in the mission statement of the JPA to bring together efforts like this study session and that this the JPA's first need to do since it's creation. Ms. D'Agosta stated that the JPA staff as well as its member agencies would be combining all of the reports and summaries from the weekend's events detailing the preparedness and responses as well as the suggestions to improve both. Ms. D'Agosta thanked everyone for coming and participating.

9) ADJOURNMENT

Director Duboc adjourned the meeting at 2:55 p.m.

Minutes Prepared by: Miyko Ann Harris-Parker
Clerk of the Board