

**MINUTES
SAN FRANCISQUITO CREEK
JOINT POWERS AUTHORITY BOARD
SPECIAL MEETING
15 June 2006**

Chairperson Zlotnick called the meeting to order at 6:04 pm at City of Palo Alto Council Chambers, Palo Alto, California.

1. ROLL CALL

Members Present: Chairperson Zlotnick, Santa Clara Valley Water District
Director Mossar, City of Palo Alto
Director Abrica, City of East Palo Alto
Director Gordon, San Mateo County Flood Control District

Alternates Present: Kelly Fergusson, City of Menlo Park

Members Absent: Director Duboc, City of Menlo Park

Associate Members Present: Michael Fox, Stanford
Chris Christofferson, Stanford
Pam Sturner, San Francisquito Watershed Council

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

Others Present: Debra O'Leary, City of East Palo Alto/COE Liaison; Art Kraemer, Palo Alto Resident; Viv Blomenkamp, Palo Alto Resident; Joe Teresi, City of Palo Alto, Kent Steffens, City of Menlo Park; Neil Cullen, San Mateo County Flood Control District; Brian Lee, San Mateo County Flood Control District; Jason Christie, Santa Clara Valley Water District; Glenn Roberts, City of Palo Alto; Larry Ciardella, Palo Alto Resident

2. APPROVAL of March 8, 16, and April 27, 2006 SPECIAL MEETING MINUTES

Minutes approved, 4-0

3. APPROVAL OF AGENDA

Agenda approved, 4-0

4. CONSENT CALENDAR – None

5. PUBLIC COMMENT- *limited time for public comment-None*

6. REGULAR BUSINESS – *Executive Director Reports*

Recognition and thank you presentation was made to Debra O'Leary for her years of service with in the San Francisquito Creek watershed community as Ms. O'Leary is leaving her position as ACOE liaison for the City of East Palo Alto. Chairperson Zlotnick thanked Ms. O'Leary on behalf of the JPA Board. Director Abrica thanked Ms. O'Leary for her work with the City of East Palo Alto as well as her work with the JPA.

a. FY 06-07 Operational Budget discussion – Attachments

Executive Director provided the Board with the results of the meetings she held with the CEO's of each member agency of the JPA and stated that the staff would be presenting a more detailed breakdown of the JPA's budgetary needs at the July Board meeting. Chairperson Zlotnick questioned weather or not the breakdown would include specific problem items of the JPA budget that the Board

MINUTES
SAN FRANCISQUITO CREEK
JOINT POWERS AUTHORITY BOARD
SPECIAL MEETING
15 June 2006

previously questioned. Executive Director replied yes that those issues would be addressed at the next Board meeting.

b. Feasibility Phase items

Executive Director updated the Board on the Feasibility Phase of the ACOE/JPA project starting with a letter from Congresswoman Eshoo, which explains that the House gave approval for \$225,000 to be put in the budget for the ACOE/JPA project. The next item presented to the Board by Executive Director was the NOP/NOI comment letters from the April 27th Corps Scoping Meeting. Executive Director stated that the ACOE and the JPA are working on getting the letters posted on the project website hosted by the ACOE. Executive Director shared with the Board the schedule of technical work that is underway and provided feedback on the upper watershed tour for the COE team that occurred March 29, 2006. The tour was a success with a great turnout. Special thanks were given to Chris Christofferson and Michael Fox, (Stanford Univ) who provided the bus for everyone attending and the tour information; thanks were given to the management team for participation. The Board was also informed of the management team tidal area tour, which took place on June 13, 2006. Special thanks were given to Kent Steffens, Debra O'Leary, Joe Teresi for tour information, and the to the Water District for providing the van.

Chairperson Zlotnick questioned what the relationship was of the scoping of the full public involvement of the communication plan and the general JPA outreach that does not currently have a budget. Executive Director responded by saying they are linked and that a first draft of the communication plan is expected within the beginning of the coming week. Executive Director continued to explain that ACOE has a very limited process in the Feasibility Phase that they have to do, while the JPA has talked about doing extensive outreach. However, the JPA needs to find a way obtain funds necessary to provide the type of outreach desired for the project. Chairperson Zlotnick appreciated the clarification, as the impression often has been that there were zero dollars available in the project for public outreach.

c. Correspondence

Response letter to the Mayor of Palo Alto was presented to the Board for feedback and approval to be mailed. Director Mossar suggested that the letter include a paragraph making it clear that any project, weather it be short-term or long-term, requires a Feasibility study and environmental review therefore using the current phase is the lowest cost and most time efficient or appropriate method of achieving information on short-term solutions. Director Mossar explained that the letter as written does not state clearly the requirements that have to be met for any project no matter short or long term and that we can leverage the ACOE work to get a review of short-term solutions done within the Feasibility study. Director Gordon motioned to authorize the Executive Director to send the letter as drafted working with Director Mossar on the additional paragraph raising the issues brought forth by the Board. Director Fergusson seconded the motion. Motion approved 5-0.

Letter to organizations requesting planning documents was presented to the Board for feedback, approval of Chairperson Zlotnick's signature on the letter and approval for the letter to be mailed out. Director Mossar felt that the letter only being sent to electeds may not generate a response and she suggested that the letter be sent to the City Managers with a copy being sent to the electeds. Chairperson Zlotnick suggested the letter also be sent to the public works departments. Motion was made to authorize Executive Director to send the letter to organizations requesting planning documents with cover letter and Chairperson Zlotnick's signature after the letter is edited and rewritten. Director Abrica Second the motion. Motion approved 5-0.

Letter to East Palo Alto City Manager as recommended by Project Management Team was presented to the Board for feedback and approval to be mailed out. Director Mossar suggested that the letter should be sent and signed by the Executive Director. Director Mossar also suggested that the last sentence of the letter be revised as it implies more than what the JPA may be able to handle. Chairperson Zlotnick stated that he had a few suggestions for letter that he wants to go over with Director Abrica and the Executive Director. Chairperson Zlotnick suggested maybe contacting Congresswoman Eshoo about possibly sending a liaison

MINUTES
SAN FRANCISQUITO CREEK
JOINT POWERS AUTHORITY BOARD
SPECIAL MEETING
15 June 2006

from U.S.G.S. to help the City of East Palo Alto. Executive Director stated that Federal agencies do participate in situations like Chairperson Zlotnick is suggesting as it was the Federal EPA that had a role in creating the ACOE liaison position in the City of East Palo Alto. Motion was made to authorize Executive Director to mail out the letter to East Palo Alto City Manager after letter is edited and rewritten with suggested Board comments with direction from Chairperson Zlotnick and Director Abrica.

c. Talks

Executive Director shared with the Board feed back from attending the Menlo Park Fire District Board of Directors meeting on April 18, 2006. Executive Director stated that the Fire District is still very interested in keeping conversation going with the SFCJPA about the Fire District's possible role with the SFCJPA. Executive Director mentioned having a town hall meeting or Watershed wide meeting to possibly approach the idea of collaboration or coordination with the emergency response agencies within the Watershed. Executive Director stated that one of the Board members of the Fire District brought up the idea of upper watershed fire prevention planning as another role they see themselves being able to assist with the coordination of the various agencies there. Director Mossar stated that it is a great idea, but advises getting a good understanding of how the various Cities feel about participating in this. Director Abrica stated that there is a certain expectation of the JPA to provide sessions such as what the Executive Director is speaking about and at some point the JPA needs to re-visit its mission and maybe re-evaluate the its direction. Director Mossar commented that it is matter of what value can we add to what is already being done. Director Gordon stated that he would like all discussion with the Menlo Fire District to stop as he feels these discussions are counter to the purpose of the JPA in that the JPA does not have the funds to do handle its scheduled responsibilities now, and that he feels the Fire District is trying to pull the JPA into its business instead of them coming into the JPA's business. Director Fergusson stated that she would like to see the JPA and the Fire District form a workable relationship. Chairperson Zlotnick agreed with Director Gordon stating that until the Board has the ability to weigh in after discussions with the management team and the technical teams on what the JPA can do and cannot do all discussion should be stopped with the Fire District.

Executive Director shared with the Board feed back of her attendance at the Watershed Council meeting May 10, 2006, which was to provide further clarification on public input and process during the Feasibility Phase. Executive Director shared with the Board the insight on the Gardens Neighborhood levee tour held on June 10, 2006 stating that the residents who participated really appreciated the it. Executive Director told the Board about her scheduled appearance at the Palo Alto Rotary Club on June 16, 2006.

7. FUTURE MEETINGS- Agency Study Sessions on future planning

Chairperson Zlotnick informed the Board that he would not be present at the July and November Board meetings. Director Mossar reminded the Board that she would not be able to participate in any Searsville Dam discussions as she has a conflict of interest. Executive Director stated that the Searsville issue has not been agendized yet and that there has been discussion with the Watershed Council regarding holding an educational forum in the fall around the Searsville issues.

8. BOARD and ASSOCIATE MEMBER REPORTS - Agendized reports from Board and/or Associate Members requesting Board action

a. City of Palo Alto Pump Station

Joe Teresi, Senior Engineer for the City of Palo Alto gave a presentation to the Board regarding the City of Palo Alto plan to construct a storm-water pump station that will discharge storm-drain outfall into the San Francisquito Creek just down stream of Hwy 101. Mr. Teresi stated that the purpose of the presentation is to get an endorsement from the JPA on selected location of the pump station. Chairperson Zlotnick thanked Mr. Teresi and the City of Palo Alto for the presentation and clarified that the Board does not have the authority to give an endorsement however they can accept the presentation, ask questions and receive feedback. Director Fergusson asked Mr. Teresi who the permitting authority is, or what is the permitting process that the City of Palo Alto has to go through. Mr. Teresi responded that the City does have to go

MINUTES
SAN FRANCISQUITO CREEK
JOINT POWERS AUTHORITY BOARD
SPECIAL MEETING
15 June 2006

through CEQA and also the Santa Clara Water District as well as the Department of Fish & Game, the Regional Water Quality Control Board and the ACOE for permits. Glenn Roberts Public Works Director for the City of Palo Alto clarified for the Board ownership of the parcel of land currently being discussed by stating that the parcel is actually owned by the Santa Clara Valley Water District with a small portion being owned by the City of Palo Alto.

Larry Ciardella a Palo Alto resident and business owner of Ciardella Nursery located on the site under discussion gave his support for the project and offered anything to help prevent flooding. Mr. Ciardella stated that he has been in business for forty-one years and in that time he has seen four different plans for the pump station. Mr. Ciardella questioned whether the pump station pipe(s) could be put in an alleyway instead of in the Creek. Mr. Ciardella questioned whether pumping water into the Creek would cause more problems.

Chairperson Zlotnick commended City of Palo Alto staff for coming up with an alternative environmental enhancement, which is hard to do with infrastructure projects. Chairperson Zlotnick questioned if the hydraulic analysis takes into account rainfall events? Mr. Teresi responded by saying the consultant looked at the way the Creek functions and with the research provided there can be a determination to look at the water flow and decide if the pump should be turned off because of high water levels in the Creek or left on if the water level in the Creek is not high enough to be concerned with overflowing. Chairperson Zlotnick suggested in regards to the description in the report that states the potential of a first flush, that City of Palo Alto staff speak with Jim Feidler of his agency to see if there might be a possibility of the Water District providing measure B funds since their project is regarding water quality improvement. Chairperson Zlotnick said there were no guarantees or promises but it is worth asking.

Director Mossar questioned why this project was being moved forward ahead of the determination of the JPA Feasibility study. Mr. Teresi stated that city property owners voted on this project with another seven projects in a package deal on storm drain improvements, and that this project was identified as the top priority. Director Mossar questioned whether or not this project has any flood control benefits. Mr. Teresi said that the project does not have any flood control benefits as far as the Creek but it will benefit street flooding.

Director Fergusson questioned if the pump shutdown would be computer operated or a manual shutdown. Mr. Teresi stated that there will be an automated control with a measuring device that will monitor the level of water in the Creek and whenever the Creek reaches that trigger point the pump will automatically shut-down until the flow has receded.

Director Abrica questioned whether or not the project has to be reviewed by the ACOE. Mr. Teresi said yes as the project needs to have a regulatory permit from the ACOE and also the ACOE team doing the Feasibility study for the JPA will be asked to review the project as well. Director Abrica also questioned whether or not the project takes into account the curves of the Creek and what the buffer or margin in determining that the tide is coming and not waiting until the tide comes in to take action. Mr. Teresi said that tide level was included as a part of the analysis.

Mr. Roberts clarified the question asked by Director Abrica as to being a question of how the upstream flow ties into the lower channel of the Creek and pump station. Mr. Roberts stated that the pump station being turned off will have an impact in regards to the amount of water being pumped into the Creek. Mr. Roberts also responded to Director Ferguson's comment about the shut down of the system stating that the pump station will not just be computer controlled, but that there will be human eyes monitoring the pump as well.

Executive Director stated that with regard to the enhancement/mitigation sites that are created within the project area, there should be some discussion on future use of these sites and how they may impact the ACOE/JPA project. Mr. Roberts stated that the discussion can certainly take place and that he believes there is a tremendous opportunity for a win - win situation with both projects.

MINUTES
SAN FRANCISQUITO CREEK
JOINT POWERS AUTHORITY BOARD
SPECIAL MEETING
15 June 2006

9. BOARD and ASSOCIATE MEMBER MATTERS - *Non-agendized comments, requests, or announcements by Board and/or Associate members, no action may be taken*

Pam Sturner of the San Francisquito Watershed Council provided the Board with an update on activities held by the Council. Ms. Sturner began with the conclusion of the workday season that occurred on May 20th with a clean up day for the San Francisquito Creek. Ms. Sturner stated that only the top portion of the Creek could be cleared as there was still a significant amount of water in the Creek preventing workers from going down into it but that there was twenty bags of garbage picked up from crews. Ms. Sturner informed the Board that about one hundred people visited the San Francisquito Creek room at the U.S.G.S. Open House held in June. Ms. Sturner finished her update by telling the Board that a site-monitoring project was in the works, and by thanking Executive Director for attending their April and May meetings.

Director Mossar stated that she is amazed at the amount of star thistle along the Creek bank, asking if a citizen strike team could be formed to clear up the star thistle. Ms. Sturner said she would take the suggestion of the strike team into consideration. .

Executive Director provided the Board with the informational flyer on the Water Districts Sediment removal project at Hwy 101.

Chairperson Zlotnick gave a brief statement encouraging the JPA, members of the JPA and the communities within the watershed to send letters to Senator Feinstein and Senator Boxer to show support for our project similar to what was done with Congresswoman Eshoo.

10. CLIP FILE – presented as a handout to the Board and one copy available for viewing.

11. ADJOURNMENT – Chairperson Zlotnick adjourned the meeting at 7:04 p.m.

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