

**MINUTES**  
**SAN FRANCISQUITO CREEK**  
**JOINT POWERS AUTHORITY BOARD**  
**SPECIAL MEETING**  
**16 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: None

Members Absent: Director Duboc, City of Menlo Park

Associate Members: Michael Fox, Stanford  
Chris Christofferson, Stanford  
Pam Sturner, San Francisquito Creek 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***

Executive Director took a moment to recognize and thank 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 lesion 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.

**FY 06-07 Operational Budget discussion – *Attachments***

Executive Director provided the Board with the results of the meetings 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 what it takes to keep the JPA running 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 previously questioned. Executive Director replied yes that those issues would be addressed at the next Board meeting.

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**Feasibility Phase items**

Executive Director updated the Board on the Feasibility Phase of the ACOE/JPA project starting with the 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 27<sup>th</sup> 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 who provided the bus for everyone attending and the tour information and 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 and 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 project management that they have to do and while the JPA has talked about doing extensive outreach 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 were zero dollars available in the project for public outreach.

**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 whether it be short-term or long-term requires a Feasibility study and environmental review therefore using the current phase is the lowest cost more time efficient 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 our own 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.

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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 lesion 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 State OES that had a role in creating the lesion 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.

**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 a counter to the purpose of the JPA as well as 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 Feasibility. 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**

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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 the Searsville Dam discussions as it is Stanford land and she does work for the University. Executive Director stated that the Searsville issue has not been agendized yet and that there has been discussion with the Watershed Council who is considering doing 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***

Joe Teresi, Senior Engineer for the City of Palo Alto gave a presentation to the Board regarding the City of Palo Alto planning 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 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 through SEQUA 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 gave his support for the project and anything that could 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 weather the pump station pipe(s) could be put in an alleyway instead of in the Creek. Mr. Ciardella questioned weather pumping water into the Creek would cause more problems.

Chairperson Zlotnick commended City of Palo Alto staff for coming up with an alternative environmental enhancer, 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 Fleadler of the Santa Clara Valley Water District 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 of the determination of the JPA Feasibility. Mr. Teresi stated that core property owners voted this project on with another seven projects in a package deal and that this project was identified as the top priority. Director Mossar questioned weather 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 a computer operated or a manual shutdown. Mr. Teresi stated that there will be an

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automated control as there will be 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 certainly want 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 leeway 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 be just computer controlled there will be human eyes monitoring the pump as well. Chairperson Zlotnick suggested that maybe the City of Palo Alto should consider setting up an agreement as an insurance issue with whomever they need just to have something on paper. Executive Director stated that with regard to the mitigation sites that are created within this zone there should be some discussion on zoning issues as 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.

**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 Creek Watershed Council provided the Board with an update on activities held with the Watershed Council. Ms. Sturner began with the conclusion of the workday season that occurred on May 20<sup>th</sup> 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 and that it was a great success. Ms. Sturner finished her update by telling the Board that a site-monitoring project was coming up 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. Director Mossar said she would like to see citizen empowerment in clearing up the star thistle by maybe having a strike team formed. Ms. Sturner she would take the suggestion of the strike team to heart.

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

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

**10. CLIP FILE –**

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

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