

**MINUTES**  
**SAN FRANCISQUITO CREEK**  
**JOINT POWERS AUTHORITY BOARD**  
May 24, 2001

Chairperson Bay called the meeting to order at 6:00 p.m. at the City of East Palo Alto Council Chambers, 2415 University Avenue, East Palo Alto, California.

1. **ROLL CALL**

Members Present: Duane Bay, City of East Palo Alto  
Dena Mossar, City of Palo Alto  
Greg Zlotnick, Santa Clara Valley Water District  
Chuck Kinney, City of Menlo Park  
Rose Jacobs Gibson, San Mateo Co. Flood Control District

Members Absent: None

Associate Members Present: Michael Fox, Stanford University  
Pat Showalter, Watershed Council (formerly CRMP)

JPA Staff Present: Cynthia D'Agosta, Executive Director  
Kevin Murray, Consultant  
Andrew Kloak, Consultant

Others Present: Gregory Stepanicich (JPA special counsel); Jerry Hearn (Watershed Council); Diane Dryer, Kris Schenk, (City of Menlo Park); Jennie Micko (Santa Clara Valley Water District); Brian Lee (San Mateo County Public Works); Dave Bishop (City of East Palo Alto); Glenn Roberts, Joe Teresi, Kent Steffens (City of Palo Alto Public Works); Chris Toeppen (Wind River Development); Jeffrey Shore (Duveneck/St. Francis Neighborhood Association); John Schaefer (Palo Alto resident); Curt Myers (Palo Alto resident); Bill D'Agostino (Palo Alto Weekly); Vivian Blomenkamp (Palo Alto resident); Keisha Evans (East Palo Alto resident); Anthony Bonora (Family Farm Road-Woodside resident); William Webster (East Palo Alto resident)

2. **SPECIAL ORDERS OF THE DAY** - None

3. **PUBLIC COMMENT** - None

4. **APPROVAL OF MINUTES FROM PREVIOUS MEETING-April 24, 2001**

Director Mossar motioned to approve the meeting minutes.  
Director Jacobs Gibson seconded.  
Minutes Unanimously approved 5-0.

5. **APPROVAL OF AGENDA**

Ms. D'Agosta stated there was an addition to agenda item 8.i.b for Project #20-1, Downstream Levee. In addition to the three alternatives, a fourth alternative is included as an attachment. Also, she stated item 8.iii.a. Executive Summary- Searsville Lake Study has a new attachment associated with it.

Director Mossar motioned to approve the agenda.  
Director Kinney seconded.  
Agenda Unanimously approved 5-0.

6. **CONSENT CALENDAR**- None

7. **PUBLIC HEARINGS** - None

8. **REGULAR BUSINESS**

8.i.a. **Cost Allocation**

Ms. D'Agosta stated that the questions asked by the JPA Board in the previous meeting regarding the cost allocation model were being addressed. These issues will be summarized into the model and taken to the city managers. She stated that the model would then be brought back to the Board at the July meeting.

Chairperson Bay said the Project #20-1, Downstream Levee discussion could be a long one. He asked Ms. D'Agosta if item 8.i.c., New Member Draft Letter and 8.i.d., CRMP/JPA Comparison Table could be dispensed with first before dealing with the lengthier item on the Levee project. Ms. D'Agosta stated it would be fine to do item 8.i.c and 8.i.d before item 8.i.b.

8.i.c. **New Member Draft Letter**

Ms. D'Agosta stated a draft of the new member letter that serves to invite new members into the JPA was provided in the board packets. She asked the Board and staff to comment on it and forward to the JPA office.

Director Kinney said the letter was a good overview of the JPA. He said that in explaining the JPA to a reporter recently, he had given this draft letter to them as a summary of the organization.

Ms. D'Agosta stated that the JPA is also working on a brochure that goes along with the new member letter.

#### 8.i.d. **CRMP / JPA Comparison Table**

Ms. D'Agosta stated this item was introduced as an attachment to the CRMP update in the last meeting and was asked to be agendaized for this meeting. The intention of this table was for internal use and clarification of the vision and actions of the two organizations. Before a one-page version of the table could be prepared for the public, she wanted the Board to review it. A steering committee has also been formed to evaluate it.

Director Mossar asked for the purpose behind the table. Ms. D'Agosta stated that it is to reflect the processes of the two organizations for internal use. Director Mossar said she saw that it was really a description of the two organizations that are related by interest in the creek.

Ms. Showalter said the table was to help sort out what both groups should be doing. It would map the ways the two organizations could work together.

Director Mossar said she didn't agree that this document was a way to see how the two organizations could work together. She stated the document was meant merely to be descriptive. It is fine that it compares the two organizations but it should go no further than that, she said.

Chairperson Bay asked if the purpose of the table was to look at the effective working relationships, goals and responsibilities of each group.

Ms. D'Agosta stated that it was providing a step in that direction. Although, it was not intended to define the organizations and what they do.

Director Zlotnick said that generally the table was very good. He didn't want to comment on the JPA side of the table because the JPA has not formalized their mission yet. On the CRMP side, he said that prior to the JPA's existence these outlined roles were appropriate. He stated that now that the JPA is in existence there is some overlap that needs to be looked at.

He continued saying CRMP should help implement what the JPA is asked to do and should be utilized as a community resource. Under the area "minimize flooding and erosion" in the document, he pointed out that the JPA will be doing that. The CRMP could help with that by educating the public but he did not want to see this to mean that the CRMP would actually go out and do these kind of projects independently.

Director Jacobs Gibson said that she supports the idea of developing the CRMP / JPA Comparison documents and wanted to see further discussion on it.

### 8.i.b. **Project#20-1, Downstream Levee**

Ms. D'Agosta summarized the two staff reports that were handed out, including Alternatives Numbers One through Three and a new Alternative Number Four, which emerged a few days before the meeting. She requested the Board to focus on the direction to take and not a detailed discussion of engineering (i.e. water surface elevation discussion etc.)

Ms. D'Agosta pointed out that whatever alternative the board chose there were still outstanding issues that had to be resolved such as the maintenance agreements and long term planning for the feasibility study. She stated that she recognized that each member of the Board wishes to do the right thing.

Chairperson Bay said Ms. D'Agosta had obviously given this a lot of thought not only to the content but also to the process of this agenda item. He stated how he appreciated how staff had been exceptionally creative in generating alternatives and asked Ms. D'Agosta for the best method to proceed through the item.

Ms. D'Agosta stated the board could continue the item for another month and call a special meeting in July to give the Santa Clara Valley Water District time to study the new alternative. She stated discussion of Alternative Number Four would not be prudent because all the details of this option have yet to be looked at. The other option would be to for the Board to accept one of the other three alternatives.

Chairperson Bay said it would be useful if Ms. D'Agosta briefly outlined the list of alternatives.

Ms. D'Agosta stated Alternative One is restoring the levees of downstream of Hwy. 101 to their 1958 condition and mitigating upstream impacts to water surface elevation. The total cost is estimated to be \$2.5 million, but cost allocation has not been dealt with on this project other than the downstream of portion of it.

Alternative Two is the maintenance project that was originally presented, and would only restore the levees downstream of Hwy. 101 to 1958 levels. It would not consider water surface elevation in the upstream areas.

Alternative Three is to defer the levee project to the long-range plan.

Alternative Four is to restore the levels downstream of Hwy. 101 to their 1958 height and mitigate upstream of Hwy. 101 on the Palo Alto side of the creek by increasing the height of freeboard that would be lost due to the increased water surface elevation. On the East Palo Alto side of the creek, this proposed alternative would close the weir and close the gap at Bayshore Road.

Chairperson Bay asked for public comment or questions about the alternatives.

Brian Lee suggested a special July meeting be held that would allow both the SCVWD and staff look at Alternative Four before hand. He said it was important for staff to analyze it before the next meeting.

Director Mossar said it was a great idea for staff to share the information so the board will not be forced to make a rushed and uninformed decision. However, she said deferring the meeting on the levee project until the end of July would be problematic for scheduling reasons for her.

Chairperson Bay asked to defer the conversation about setting a date for a special meeting until it was clear what action the board wanted to take.

Director Kinney said the new Alternative Four would be a good one to study. He said Alternative One has a lot of uncertainties including concerns about cost sharing allocations. For alternative two, he said that he has been advised by the Menlo Park legal counsel that there are some potential problems associated with it. He felt Alternative Three would not work given the life safety issues involved. We lose nothing by deferring for one more month to give staff a chance to better look at Alternative Four, he said.

Director Mossar said that the City of Palo Alto would like to take the time to look at Alternative Four. She stated that health and safety issues are important and are as real for Palo Alto as much as they are for East Palo Alto. We are improving every time we talk about this. We are learning a lot and must work together. It is good opportunity for the JPA to address the kinds of complexities that will be before us.

Director Jacobs Gibson stated that the Board should address some of the issues that need to be resolved. Otherwise, we will make decisions on the Alternatives and stall again due not dealing with the issues.

Director Zlotnick said that the cost allocation issue is sitting out there still that impacts funding for the long-term feasibility for the Recon Study. He said he was in support of allowing staff to develop the fourth alternative. He commended staff putting the time and effort into coming up with fourth alternative.

Ms.D'Agosta said she was in favor of using staff time and rescheduling the item until the first week of July to look at Alternative Four and would move forward with Cost Allocation. A report on each of these would come back to the Board.

Chairperson Bay said he felt there was consensus to continue this issue until a special meeting. However, he said it would not be an uncomplicated delay. He requested some additional fact finding on the engineering studies around the Pope-Chaucer Street Bridge. He said that he wanted to hear more about that because it would be very important as to what decision he would make. Each of us will be presenting this to our respective agencies and we will need a sound explanation. He said there have been some bilateral meetings between East Palo

Alto and the San Mateo County having to do with ongoing maintenance of the levee.

Director Mossar said it is important to address all the scenarios both positive and negative so that 18 months from now we are sure no large issue comes up that we could have addressed now.

Director Mossar moved to continue the item for further discussion

Director Kinney seconded.

Continuation of Project #20-1, Downstream Levee discussion unanimously approved 5-0.

After a discussion on scheduling of a special single item meeting, it was agreed that either July 16, 23 or 25 would be the date of the special meeting.

#### **8.ii.a. Prop 13 Grant Awarded**

Ms. D'Agosta stated the JPA was awarded Prop 13 grant for Watershed Wide Sediment Assessment Study for the Total Maximum Daily Load (TMDL) process. The grant ranked #1 in the region and 4# statewide.

Director Kinney asked Ms. D'Agosta to work with J. Michael Gonzales from Menlo Park to send out a press release on it.

#### **8.ii.b. Neighborhood Coffee Schedule**

Ms. D'Agosta stated the Neighborhood Coffee Series is underway. Director Kinney, Mossar and Zlotnick have all attended some of the coffees so far. She also announced she would speak at a 7:30 p.m. June 21<sup>st</sup> annual meeting sponsored by the Duveneck / St. Francis Neighborhood and Crescent Park Neighborhood Associations in Palo Alto.

#### **8.ii.c. Comment letter on SCVWD Creekside Maintenance Draft EIR**

Ms. D'Agosta stated this item was for information only. Also she stated that a California Department of Fish & Game grant proposal was submitted May 18<sup>th</sup>.

Director Zlotnick asked if any legislators were contacted for letters of support regarding the Fish & Game submittal. Ms. D'Agosta said the JPA did not because the RFP request letters specifically stated no attachments of letters of support should be submitted.

#### **8.iii.a. Executive Summary-Searsville Lake Study**

Ms. D'Agosta stated that this item was for information only. A full presentation on the Searsville Lake Sediment Study will be made at the July 26<sup>th</sup> meeting.

8.iii.b. **April JPA Update**

Ms. D’Agosta stated that the April Edition of the JPA Update was completed and had been sent out. Director Mossar asked to be reminded what the distribution of this was and if she should be sending the update to her Palo Alto City Council colleagues.

Ms. D’Agosta said the JPA was sending the update to all city council members of all member agencies and even non-member agencies like Portola Valley and Woodside. Director Mossar replied that that was excellent.

8.iii.c. **CRMP Update**

Ms. Showalter asked that everyone save the date June 23<sup>rd</sup> on their calendar. Bay Area action and PCCF have merged and there will be a party that evening that will unveil their new name. CRMP had 226 volunteers to work on annual cleanups and field trips. She also said there has been major progress on the fish ladder and interpretative panels for El Palo Alto Park. She handed out a draft of a letter requesting the JPA become a signatory of the CRMP.

9. **BOARD MEMBER ANNOUNCEMENTS**-None.

10. **BOARD ANNOUNCEMENTS**-None.

11. **ADJOURNMENT**

Director Mossar motioned to close the meeting.

Director Jacobs Gibson seconded.

Meeting Adjourned at 7:00 p.m.

**MINUTES PREPARED AND SUBMITTED BY:**

Andrew Kloak

San Francisco Creek Joint Powers Authority