



SAN FRANCISQUITO CREEK
JOINT POWERS AUTHORITY
SFCJPA.ORG

**Notice of Special Meeting of the
BOARD OF DIRECTORS
City of Menlo Park Council Chambers
701 Laurel Street, Menlo Park, California
November 14, 2018 at 4:30 p.m.**

AGENDA

1. ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF MEETING MINUTES: October 25, 2018 Regular Board meeting
4. PUBLIC COMMENT – *Individuals may speak on any topic for up to three minutes; during any other Agenda item, individuals may speak for up to three minutes on the subject of that item.*
5. REGULAR BUSINESS – Executive Director’s Report
 - a. S.F. Bay-Highway 101 project: discuss status and December 14 Celebration of Safety
 - b. Upstream of Highway 101 project update
 - c. Discuss emergency preparedness for the upcoming winter
6. BOARD MEMBER COMMENTS – *Non-agendized requests or announcements; no action may be taken.*
7. ADJOURNMENT

PLEASE NOTE: This Board meeting Agenda and supporting documents related to items on the Agenda can be viewed online by 4:30 p.m. on November 12, 2018 at sfcjpa.org -- click on the “Meetings” tab near the top.

NEXT MEETING: Regular Board meeting, January 24, 2019 at 3:30 PM, City of Menlo Park Council Chambers

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Chairman Kremen called the meeting to order at 3:04 p.m. at the City of Menlo Park Council Chambers, Menlo Park, California.

DRAFT

1) ROLL CALL

Members Present: Director Kremen, Santa Clara Valley Water District (SCVWD)
Director Scharff, City of Palo Alto

Alternates Present: Director Gauthier, City of East Palo Alto

Members Absent: Director Abrica, City of East Palo Alto
Director Pine, San Mateo County Flood Control District (SMCFCD)
Director Keith, City of Menlo Park

JPA Staff Present: Len Materman, Executive Director
Kevin Murray, Staff
Tess Byler, Staff
Miyko Harris-Parker, Staff

Others Present: Dennis Parker, East Palo Alto resident; Trish Mulvey, Palo Alto Resident;
Jerry Hearn, Portola Valley Resident; Kamal Fallaha, City of East Palo Alto;
Michel Jeremias, City of Palo Alto; Saied Hossessini, SCVWD; Bill Springer;
SCVWD; Ann Stillman, SMCFCD; Justin Murphy; City of Menlo Park

2) APPROVAL OF AGENDA

Director Scharff made a motion to approve the agenda. Director Gauthier seconded. Agenda approved 3-0. Directors Abrica, Keith, and Pine not present.

3) APPROVAL OF BOARD MEETING MINUTES: SEPTEMBER 27, 2018 REGULAR BOARD MEETING

Director Scharff made a motion to approve the September 27, 2018 Regular Board meeting minutes. Director Gauthier seconded. September 27, 2018 Regular Board meeting minutes approved 3-0. Directors Abrica, Keith, and Pine not present.

4) PUBLIC COMMENT

Jerry Hearn, Portola Valley resident spoke to the Board about Elizabeth Rush's new book, *Rising: Dispatches From the New American Shore*, mentioned by Trish Mulvey at the last Board meeting. Mr. Hearn encouraged the Board and those in attendance to read the book and offered his personal copy of the book to anyone who may interested.

5) REGULAR BUSINESS

S.F. Bay-Highway 101 project: discuss status, estimated costs, and the State Audit

Mr. Materman provided an update on the Bay-Highway 101 project, reporting that the flood protection features of the project are complete, and that the draft CA Department of Finance audit of our \$8 million Department of Water Resources (DWR) grant found no deficiencies in our accounting controls, we met the terms of the grant, and that two-tenths of one percent of grant plus local match were questioned, so we submitted to DWR an additional invoice that it has approved for payment.

Dennis Parker, East Palo Alto resident, expressed his pleasure with the improvements on the bike trails. Mr. Parker commented on the fact that people like Mark Dinan, an advocate of the biking community, is also very happy. Mr. Parker commented that the creek camera at Highway 101 should be adjusted for better viewing and that Palo Alto's Creek flow sensor is not working.

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Director Gauthier thanked staff for all the work that has been done. Director Gauthier commented that as a Gardens neighborhood resident, she and her neighbors are very happy to be protected.

Director Scharff thanked staff and asked whether Friendship Bridge will be reopened in December.

Responding to Mr. Parker's comment, Mr. Materman confirmed that the City of Palo Alto is working to bring the sensor online. Mr. Materman stated that the Friendship Bridge will reopen in December.

Director Kremen asked for an update on the celebration being planned for the completion of the flood protection features. Mr. Materman replied that the dates of December 7, 10, and 14th are the dates being looked at for the celebration. Board members present confirmed that December 14 worked for their schedules.

Director Kremen asked that staff report back to the Board on whether sandbags could be placed at the Pope-Chaucer Bridge to contain a high Creek flow this winter should that be necessary.

S.F. Bay-Highway 101 project: authorize the Executive Director to execute Amendment 1 to a May 1, 2017 contract with H.T. Harvey & Associates for its support of constructing, monitoring, reporting, and completing as-built drawings of habitat restoration areas in the Faber Marsh

Mr. Materman described Amendment 1 to the SFCJPA's contract with H.T. Harvey & Associates. Director Scharff made a motion to authorize the Executive Director to execute Amendment 1 to a May 1, 2017 contract with H.T. Harvey & Associates for its support of constructing, monitoring, reporting, and completing as-built drawings of habitat restoration areas in the Faber Marsh. Director Gauthier seconded. Motion to approve Amendment 1 to a May 1, 2017 contract with H.T. Harvey & Associates for its support of constructing, monitoring, reporting, and completing as-built drawings of habitat restoration areas in the Faber Marsh approved 3-0. Directors Abrica, Keith, and Pine not present.

Approve the 2019 schedule of Regular meetings of the Board of Directors

Mr. Materman presented the 2019 draft schedule of Regular Board meetings for approval. Director Gauthier made a motion to approve the 2019 schedule of Regular Board of Directors meetings. Director Scharff seconded. Motion to approve the 2019 Schedule of Regular meetings of the Board of Directors approved 3-0. Directors Abrica, Keith, and Pine not present.

Upstream of Highway 101 project: update on planning, costs and funding

Mr. Materman provided the Board with a summary of the planning process for the Upstream of Highway 101 project. Mr. Materman provided the Board with an overview of the costs and funding for the SFCJPA related projects from S.F. Bay to the Pope Chaucer Bridge. Costs total an estimated \$110,547,000; \$76,277,000 for S.F. Bay-Highway 101 and \$34,270,000 for work upstream.

Mr. Materman stated that funds available for this work total about \$97,777,000, leaving an estimated need of \$12,770,000 to complete all planned creek improvements. Mr. Materman told the Board that early next year we will take a deep dive into the funding options available, and present an array of potential funding mechanisms. Director Scharff asked if there have been any discussions with the City of Palo Alto about creating a district. Mr. Materman replied that there have not been formal discussions with City staff. Director Scharff asked what size the district is expected to be.

Mr. Materman replied that in 2013 the SFCJPA completed a feasibility study of potential finance districts but no additional work has been done on it. Director Scharff thanked Mr. Materman for the information and stated that he does not think a new financing district is a likely funding source.

6) ADJOURNMENT

Chairman Kremen adjourned the meeting at 3:40 pm.

Minutes Prepared by Clerk of the Board Miyko Harris-Parker.

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With the help of Kevin Murray, Tess Byler, and Miyko Harris-Parker, I am pleased to submit the following:

a. S.F. Bay-Highway 101 project: discuss status and December 14 Celebration of Safety

As described last month, we have completed construction of the flood protection features of our project along San Francisquito Creek from the Bay to Highway 101, which include a new marsh within a much wider channel, and new levees and floodwalls.

To share those features with the community and commemorate the fact that residents and businesses adjacent to the Creek from West Bayshore Road to the Bay do not have to fear that water will exit the channel due to high Creek flows, extreme tides, or the combination of both, we will host a "Celebration of Safety" event at the Friendship Bridge overlooking San Francisquito Creek in the late morning of Friday, December 14. All are welcome!

The SFCJPA, Santa Clara Valley Water District (SCVWD), and cities of Palo Alto and East Palo Alto are working together to complete the remaining, out-of-channel project features such as paving and bollards at trail access points and the new boardwalk extension. This work will allow all trails to be opened in December as planned. Following that, the remaining work will include new habitat restoration plantings and installing interpretive, local ordinance and wayfinding signs by May of 2019.

Total project costs are still being finalized, and as discussed at previous Board meetings, construction costs in excess of the amount established in the 2016 six-party Construction Funding Agreement have been significantly reduced from initial estimates.

SFCJPA staff has been working with staff at the CA Department of Water Resources to amend our Proposition 84 Grant Agreement and our Local Sponsor Agreement with the Association of Bay Area Governments. We expect these amendments to be executed over the next month so that we can invoice all eligible project expenses. Additionally, we expect the final retention payment from our closed and audited Proposition 1E grant in the next month.

By the end of 2018, the City of East Palo Alto will complete the installation of a new trash capture device on the O'Connor Pump Station outfall to comply with the City's storm water discharge requirements.

b. Upstream of Highway 101 project update

The SFCJPA, our consultants, and member agency partners are continuing to work on the Draft Environmental Impact Report for our project upstream of Highway 101. The Draft EIR will include analysis of 17 alternatives proposed either by the SFCJPA or by members of the public and regulatory agencies. We seek to move forward with a project that provides a meaningful level of flood protection and other benefits, and the construction of which is achievable in the near term. At the previous two Board meetings, I described the information gathered and issues that were resolved to enable our consultant to finalize the Draft EIR so that it may undergo review by our agency partners before it is released for public review in early 2019. I also discussed our current estimate of the costs, available funding, and alternatives to secure needed funding, which will be a focus of our work in 2019.

One potential funding source is the Army Corps of Engineers, and thus we continue to coordinate our efforts with the Corps as it completes a federal Feasibility Study and Environmental Impact Statement (EIS), which will be released for public review as an integrated document at about the same time as our Draft EIR. Another potential source of funds is FEMA's Hazard Mitigation Grant Program, for which the SFCJPA and SCVWD recently worked together to prepare applications requesting \$8 million for construction between University Avenue and the Pope-Chaucer Bridge.

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c. Discuss emergency preparedness for the upcoming winter

Since 2001, the SFCJPA has organized an annual maintenance walk within the Creek channel, during which staff from the SFCJPA, member agencies, and Stanford identify downed trees and other large debris that could obstruct flows and thus pose a threat to public safety during large storm events. Items that need attention are tagged and assigned to the appropriate agency for removal or modification.

In late 2015, in anticipation of projected El Niño storms, the SFCJPA and member agencies were more aggressive than usual in these actions. Because of that, and the large flows and Caltrans' removal of debris at West Bayshore Road in early 2017, we encountered less debris than usual during this September's maintenance walk. SFCJPA staff developed a spreadsheet of items encountered during this year's walk, and assigned actions to member agency staff that have been completed. Of note, we encountered an area that contained opened safes and sensitive documents that were retrieved by East Palo Alto staff and turned in to the City's Police Department.

The SFCJPA continues to maintain our Flood Early Warning System (sfcjpa.org/floodwarning) with year around work on our upstream sensors, and the system will be ready once again this winter season. The City of Palo Alto is calibrating its system of sensors at downstream bridges that inform our website as well as the City's creek monitor page.

According to the most recent forecast from the National Weather Service (NWS), there is an 80% chance that an El Niño pattern will form and continue through the winter. In our area, the NWS forecasts above average rainfall for two weeks beginning the Thanksgiving weekend, and an average rainfall over the next three months.

On December 4, the SFCJPA, member agencies, and other agencies involved in emergency response will assemble to review the Multiple-Agency Coordination Operational Plan for Severe Storm and Flood Response, and conduct the annual SFC MAC tabletop exercise to improve our collective readiness for future emergency events.

Prior to the expected 2015 El Niño, we also took temporary measures to add height to the levees downstream of Highway 101 and filled in degraded areas of the berms upstream of the Pope-Chaucer Bridge. With the completion of the Bay-Highway 101 project, we are no longer concerned about Creek flooding between the Bay and West Bayshore Road (the upstream frontage road to Highway 101). At the Pope-Chaucer Bridge, which is now the location of least capacity in this Creek, we are evaluating whether temporary measures this winter can slightly increase flow capacity without inducing new risk to people and property downstream. If a temporary measure can be safely implemented far in advance of – or in the face of – a threatening storm, it will be done.

Submitted by:



Len Materman
Executive Director