



SAN FRANCISQUITO CREEK
JOINT POWERS AUTHORITY

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**Notice of Regular Meeting of the
BOARD OF DIRECTORS
August 27, 2020 at 3:30 p.m.**

Due to the risk of COVID-19 transmission, this meeting will be held remotely. If you require an accommodation pursuant to the Americans with Disability Act, please contact the Clerk of the Board at the phone number or email listed at the bottom of this Agenda by 10:00 am on the day of the meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/89812610433?pwd=YTI1QVNwL1VpNXM3c09XREt2Y1pZdz09>

Meeting ID: 898 1261 0433 Passcode: 176826

AGENDA

Or by phone: 669 900 - 6833,89812610433#,0#,,176826#

1. ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF MEETING MINUTES: June 25, 2020 Regular 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
6. COMPHRENSIVE PLAN
7. CLOSED SESSION: Conference with Legal Counsel — Anticipated Litigation
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (one potential case)
8. CLOSED SESSION: Conference with Legal Counsel — Existing Litigation
Government Code Section 54956.9(d)(1)
Name of case: Peter Joshua v. San Francisquito Creek Joint Powers Authority, et al. San Mateo County Superior Court Case No: 19-CIV-06305
9. ADJOURNMENT

PLEASE NOTE: This Board meeting Agenda and supporting documents related to items on the Agenda can be viewed online by 3:30 p.m. on August 21, 2020 at sfcjpa.org -- click on the "Meetings" tab near the top. To be added to or removed from the Board Meeting distribution list, please e-mail jpa@sfcjpa.org.

NEXT MEETING: Regular Board meeting, September 24, 2020 at 3:30 PM, location to be determined

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Director Kremen called the meeting to order at 3:33 p.m. via online streaming video and teleconference call.

DRAFT

1) ROLL CALL

Members Present: Director Gary Kremen, Valley Water District
Director Drew Combs, City of Menlo Park
Director Alison Cormack, City of Palo Alto
Director Ruben Abrica, City of East Palo Alto

Members Absent: Director Dave Pine, San Mateo County Flood and Sea Level Rise Resiliency District

JPA Staff Present: Margaret Bruce, Executive Director
Kevin Murray, Staff
Tess Byler, Staff
Miyko Harris-Parker, Staff

Legal Present: Trisha Ortiz
Ginetta Giovinco
Regina Danner

2) APPROVAL OF AGENDA

Director Cormack made a motion to approve the agenda. Director Abrica seconded. Agenda approved 4-0. Director Pine not present.

3) APPROVAL OF June 25, 2020 REGULAR BOARD MEETING MINUTES

Director Combs made a motion to approve the June 25, 2020 Regular Board meeting minutes. Director Cormack seconded. The June 25, 2020 Regular Board meeting minutes were approved 4-0. Director Pine not present.

Roll call vote

Abrica	Aye
Director Combs	Aye
Director Cormack	Aye
Director Kremen	Aye
Director Pine	Not present

4) PUBLIC COMMENT

None.

5) REGULAR BUSINESS: EXECUTIVE DIRECTOR'S REPORT

Executive Director's Report

Ms. Bruce began with a brief description of the comprehensive planning. Director Abrica stated how this is a great opportunity for the Board and public to see the plan, and he asked what the anticipated timeline for completion would be. Ms. Bruce explained that staff was still discussing the timeline but that the plan will be presented before the end of the calendar year. Director Abrica commented that this is a good time to develop the comprehensive plan; with the transition to a new Executive Director and the start of our second project. Mr. Murray commented that the plan should be completed by the permit process in October. Ms. Bruce stated that a timeline for the comprehensive plan process will be given to the Board in August. Ms. Bruce continued with the Executive Director's presentation by sharing with the Board that she was introduced to staff at

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several member agencies and project partners with the help of Mr. Murray, and that she will also be meeting with local elected leaders, the new leadership team from the SF Bay Regional Water Quality Control Board and a tour with Mr. Jim Wiley. Ms. Bruce then provided the Board with organization/administration and project updates.

Letters to Valley Water regarding Safe Clean Water program renewal

Ms. Bruce shared with the Board that more than 150 letters of support were sent to Valley Water regarding the Safe Clean Water program renewal. Ms. Bruce and Director Kremen reminded the Board that if the Safe Clean program is renewed it will provide about thirty-five million dollars toward San Francisquito Creek. It was proposed that a summary of funding shortfalls and potential sources be provided at the next board meeting.

Information related to the First Avenue Foundation Flood Risk Study

Ms. Bruce shared with the Board that the First Street Foundation released a new study regarding flood risk within the United States. Ms. Bruce noted that the foundation's study recognizes that a larger number of homes are shown in these maps to be at risk of flooding compared to the official most recent FEMA' flood maps.

Consider adopting the Fiscal Year 2020-2021 SFCJPA Salary Schedule

Ms. Bruce presented the Fiscal Year 2020-2021 SFCJPA Salary Schedule to the Board for adoption. Director Combs made a motion to adopt the Fiscal Year 2020-2021 SFCJPA Salary Schedule. Director Abrica seconded. The motion to the adopt the Fiscal Year 2020-20201 SFCJPA Salary Schedule approved 4-0. Director Pine not present.

Roll call vote

Abrica	Aye
Director Combs	Aye
Director Cormack	Aye
Director Kremen	Aye
Director Pine	Not present

6) CLOSED SESSION

Adjourned to closed session at 3:51 pm.

7) CLOSED SESSION

Closed adjourned at 4:50 pm.

Regular meeting readjourned at 4:50 pm.

No report out from closed session.

8) ADJOURNMENT

Regular meeting session adjourned at 4:51 pm.

Minutes drafted by Clerk of the Board: Miyko Harris-Parker.

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Executive Director's Report, August 2020

Comprehensive Planning:

Today we present our draft outline of the SFCJPA Comprehensive Plan (see attachment). We hope you, and members of the community, will provide input. This plan is envisioned as a living document of how we and our partners are working together to improve the watershed for all inhabitants.

Our schedule to complete an initial public draft Comprehensive Plan is aggressive and meant to coincide with key SFCJPA project deliverables and potential funding opportunities. As discussed last month, this initial Comprehensive Plan will focus on SFCJPA projects, but could be used as the basis of a future, watershed-level plan. Some of the items in the draft outline may be reserved for future updates.

We plan to present our draft plan to you in September and a final document in October. Therefore, we are asking for any comments on this draft outline by September 4.

Our timeline is:

- Board and Public comments on draft outline – *August 27-September 4.*
- Initial draft plan presented to the Board– *September 24 Board Meeting.*
- Public Comment: *September 25 – October 9.*
- Integrate comments into final document and share with you –*October 22 Board Meeting.*

We plan to review the Comprehensive Plan each year during July and August to ensure the document remains current.

Project Updates:

- Continued Reach 2 Upstream project design and estimated construction costs, including design modifications to creek widening sites to incorporate features requested by regulatory agencies during our pre-application consultations. These features are intended to improve habitat and stream function.
- Preparation of a Pope-Chaucer Bridge Planning Application for simultaneous distribution to Palo Alto, East Palo Alto and Menlo Park. Valley Water is providing

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non-substantive edits to the package to conform with the electronic submittal format requirements. Once these are complete, the package will be ready for submittal.

- Set a schedule for future City Manager and staff coordination meetings: Sept 17, Dec.10 and February 9.
- Communications with Stanford University regarding access agreement for 100 - year flood protection field evaluations. During this call on August 19, 2020, Stanford was responsive to our timeline request in our letter dated July 27, 2020. We reached verbal agreement on a two-stage access agreement. Stanford is drafting preliminary access agreement language. We will confer again next week to ensure their framework addresses our concerns. Their legal team will review and provide a final, formal response.
- Waiting on Basis of Design Report from Valley Water, necessary for permit applications for the Upstream Project. All signs are OK from Valley Water and we are on track to submit to the agencies by the end of October.
- Regular communication with member agencies, and others - meetings this month with East Palo Alto, Valley Water, Menlo Park, Ravenswood Business District and the Palo Alto Daily.
- Continued coordination with and outreach to members of the community.

Organization/Administration Updates:

- Designed and initiated regular employee reviews.
- Implemented organization-wide file sharing (Dropbox) and project management (Smartsheet).
- Website re-design and update is underway. Debut anticipated 9/1.
- We will be moving into our new office location on September 1st. We will be in the Regus office space at 2100 Geng Road, off Embarcadero, in Palo Alto. Notifications and other logistics are underway.
- Investigating potential new banking options.
- We will be bringing to the Board, after Finance Committee review, new financial policies and the draft FY 2018/2019 audit on October 22, 2020.



SFCJPA Comprehensive Plan

Vision and Goals and Action Plan

The Comprehensive Plan is the SFCJPA's description of our vision and action plan for the benefit of our member agencies, residents and stakeholders. The SFCJPA has always considered a watershed approach for our work, and this document is our first attempt to chronicle our overall plan. This plan is a living document and will be revisited annually during July and August and updated to reflect recent or anticipated activities and events that affect the watershed.

Vision: The San Francisquito Creek is an asset unifying the communities it touches, providing recreation and ecosystem services. The SFCJPA works with its members and watershed partners to address the interrelated issues of flood protection, ecosystem restoration and creation of recreational opportunities along the creek and in the watershed in a fiscally responsible manner.

Overarching Goal: Implement a suite of interrelated actions, each with independent utility but together comprising a comprehensive approach with multiple benefits to all inhabitants of the watershed.

Action Plan: The following projects are components of the SFCJPA's overall plan to provide 100-year flood protection and improve habitat and ecosystems:

San Francisco Bay to Highway 101

This completed project was the necessary first step in our plan. The project included widening the creek channel, constructing new higher levees, and where creek widening was not possible, constructing flood walls. In total, this project created more than 22 acres of new and improved marsh plain and added new trails on top of the levees that connect to the San Francisco Bay Trail and West Bayshore Road. This project specifically incorporated consideration of three feet of sea level rise during a King Tide event. When considering the safety factor of FEMA freeboard, the project as built protects against 100-year creek flows and up to 10 feet of sea level rise compared to today's daily high tide. (Completed June 2019).

Highway 101 to El Camino Real

This project will provide protection of people and property from a flood event similar to the 1998 event, which is considered a 70-year flood. This is the largest recorded flood since the US Geological Survey began measurements in the 1930's. This project will remove artificial constrictions in the creek channel and remove aged concrete structures at five locations beginning at the upstream face of West Bayshore Road and continuing upstream of University Avenue. This area is fully developed. Most of the creek widening areas are constrained by



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engineering considerations, including shear stress and velocity requirements, and require replacement of existing aged hard armoring with updated hard armoring - either soil nail walls or sheet pile walls. At one location in East Palo Alto, a large concrete structure will be removed, and the creek bank will be regarded to a more natural configuration and planted with native riparian plantings. The Pope Chaucer Bridge, which is a concrete culvert, will be replaced with a new bridge and the natural creek bed will be restored. The new bridge will be as open as possible, taking into consideration constraints on the bridge design including existing homes in the area, maintaining street elevations, and ensuring safe pedestrian access. The intersections on both the Palo Alto and Menlo Park sides will be matched to the existing elevation (Construction anticipated 2021-2024).

100-year creek flood protection

Future 100-year flood protection is envisioned as an additive project and was evaluated at a programmatic level in our September 2019 Environmental Impact Report. Just as our project from Highway 101 to El Camino does not provide 100-year protection by itself, the topography of the upper watershed does not allow for upstream detention at the scale needed to provide 100-year protection on its own. Only a combination of the current project's channel conveyance improvements, coupled with upstream detention and/or other similar flow reduction features can achieve 100-year protection for San Francisquito Creek.

Potential alternatives may include Stanford's planned modifications to Searsville Dam (which Stanford University is leading) that will allow for free flow conditions during normal dry weather, but provide check-dam detention during large flow events. Other potential alternatives to achieve 100-year flood protection will include other potential offline detention facilities in the upper watershed, and other alternatives that can achieve the goal of 100-year flood protection. The SFCJPA Board affirmed their commitment for this project and has dedicated funding to evaluate it. The SFCJPA is working closely with Stanford to gain access for the needed information to adequately evaluate potential options on Stanford lands. (Notice of Preparation 2021).

Tidal flood protection and marsh restoration- Strategy to Advance Flood Protection and Ecosystem Restoration along San Francisco Bay (SAFER Bay Project)

The Strategy to Advance Flood protection, Ecosystem restoration and Recreation Project (SAFER Bay) addresses tidal flood protection by improving or rebuilding flood protection features along San Francisco Bay within SFCJPA jurisdiction. Public Draft Feasibility reports were issued in 2016 for East Palo Alto and Menlo Park, and in 2019 for Palo Alto. This project when complete will complete the protection gap in the tidally influenced areas outside of our completed project from San Francisco Bay to Highway 101 described above.

We are currently moving forward with a portion of this project in East Palo Alto and Menlo Park - SAFER Bay Phase 1. We have initiated early coordination with permitting agencies, and we are working on a conceptual design, the project description, and are coordinating with stakeholders.

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The SFCJPA has partnered with the South Bay Salt Ponds Restoration Authority to restore Ponds R1 and R2 as part of this project to achieve a resilient “South Bay Sponge” to address sea level rise. This project has the same protection criteria as our completed project from San Francisco Bay to Highway 101 (Notice of Preparation planned for late 2020 or early 2021).



Comprehensive Plan

Draft Annotated Outline

1. **Introduction** - *This section will describe the background, purpose, and goals of the plan.*
2. **Description of the Watershed** - *This section will describe the site setting, including land ownership, hydrology, water quality, and resources of the watershed.*
3. **Integrated Planning with Watershed Partners** - *This section will describe SFCJPA work and actions with our member agencies, Stanford, Army Corps of Engineers, and local non-profit entities to improve the watershed, including non-point source measures and local stormwater resource plans.*
4. **Comprehensive Flood Protection and Ecosystem Restoration Program** - *This section will discuss the SFCJPA projects and how they work together to form a suite of interrelated projects each with independent utility but together form cohesive program.*
5. **Stewardship** - *This section addresses long term actions, including monitoring and maintenance of implemented work.*
6. **Stakeholder Engagement** - *This section address stakeholder input.*
7. **Advocacy** - *This section addresses educational and informational components, including issues the SFCJPA supports for its own or its member agencies mutual interests.*
8. **Funding** - *This section describes current and potential future funding mechanisms to achieve our plan.*