



SAN FRANCISQUITO CREEK
JOINT POWERS AUTHORITY

SFCJPA.ORG

Notice of Regular Meeting of the Board of Directors

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/81016430320?pwd=anRNZ3M4b0tmN2hiWkNKb1VqNTJlZz09>

Meeting ID: 810 1643 0320

Passcode: 579855

Or by Phone: (669) 900-6833,,81016430320#,,,,,0#,,579855#

AGENDA

September 24, 2020 at 3:30 p.m.

1. ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF MEETING MINUTES: August 27, 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 - Discussion/Information Item
7. UPSTREAM PROJECT- Discussion/Information Item
8. BOARD MEMBER COMMENTS: Non-agendized requests or announcements; no action may be taken.
9. 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)
10. 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
11. ADJOURNMENT

PLEASE NOTE: Board meeting Agenda and supporting documents related to items on the Agenda can be viewed online by 3:30 p.m. on September 21, 2020 at sfcjpa.org -- click on the "Meetings" tab near the top.

NEXT MEETING: Regular Board meeting, October 22, at 3:30 PM-via online video streaming and teleconference

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DRAFT

Director Kremen called the meeting to order at 3:30 p.m. via online streaming video and teleconference call.

1) **ROLL CALL**

DRAFT

Members Present: Director Gary Kremen, Valley Water District
Director Drew Combs, City of Menlo Park (not present at roll call)
Director Alison Cormack, City of Palo Alto
Director Dave Pine, San Mateo County Flood and Sea Level Rise Resiliency District

Members Absent: Director Ruben Abrica, City of East Palo Alto

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 Pine seconded. Agenda approved 3-0. Director Combs not present at time of vote. Director Abrica not present.

3) **APPROVAL OF July 23, 2020 REGULAR BOARD MEETING MINUTES**

Director Cormack made a motion to approve the July 23, 2020 Regular Board meeting minutes. Director Pine seconded. The July 23, 2020 Regular Board meeting minutes were approved 3-0. Director Combs not present at time of vote. Director Abrica not present.

Roll call vote

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

4) **PUBLIC COMMENT**

None.

5) **REGULAR BUSINESS: EXECUTIVE DIRECTOR'S REPORT**

Director Combs arrived at 3:32 pm.

Ms. Bruce welcomed Alec Nicholas Capital Engineering Manager for Valley Water who introduced Peter Park as the new Associate Civil Engineer for the Watersheds Design and Construction Division at Valley Water.

Ms. Bruce began her report with presenting the draft outline for the SFCJPA Comprehensive Plan.

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Ms. Bruce stated that SFCJPA Project Manager, Tess Byler, has taken the lead on the initial draft plan which will be presented to the Board at the September 24, 2020 Board meeting, and the final document will incorporate Board and public comments will be presented at the October 22, 2020 Board meeting. Ms. Bruce stated that the plan will be reviewed each year between July and August to ensure the document remains current.

Ms. Bruce continued with the Executive Director's report providing a summary of project updates. Ms. Bruce shared that the Reach Two (Upstream) project design and estimated construction costs were still being worked on; Valley Water sent an updated funding gap assessment that SFCJPA staff will evaluate and bring to the Board in September; and that the Pope-Chaucer Bridge planning application will be distributed to the cities of Palo Alto, East Palo Alto and Menlo Park after Valley Water completes some edits to the package.

Ms. Bruce stated that the dates for future City Managers and Staff meetings have been set for September 17, 2020; December 10, 2020 and February 9, 2020. Ms. Bruce reported that the call with Stanford on August 19, 2020 regarding the access agreement went well. Ms. Bruce provided an update on the Prop 68 grant application that was submitted in July noting that there is a delay in the award notification until January of 2021.

Ms. Bruce provided the Board with a summary of organizational and administrative updates which included implementing employee reviews, new office location (2100 Geng Road, Suite 210, Palo Alto, CA 94303), newly designed website, investigating new banking solutions and scheduling Finance to review updates to financial policies and audit. Ms. Bruce showed the International Partnering Institute (IPI) award for our completed Downstream Project.

Director Cormack commented that she was happy to attend the IPI award ceremony, and that it was interesting finding out more information about the project. Director Cormack stated that she was pleased with the positive communication with Stanford officials. Director Cormack expressed her delight with the organizational improvements for the agency and she commended Ms. Bruce's alacrity.

Director Pine asked how much funding the Prop 68 grant would provide. Ms. Byler responded saying that the Prop 68 grant application, which is for the SAFER BAY Phase 1 Project, is \$5.7 million dollars.

Jerry Hearn, Portola Valley Resident, expressed his support and pleasure for the new website, new polices and new office space.

Ms. Bruce read the eight elements of the SFCJPA Comprehensive Plan. Director Cormack stated that she was very happy to see the Comprehensive Plan being developed and she thanked Ms. Byler for her work on getting the initial plan drafted..

6) CLOSED SESSION

Adjourned to closed session at 3:53 pm.

7) CLOSED SESSION

Closed adjourned at 4:30 pm.

Regular meeting readjourned at 4:30 pm.

SFCJPA Legal Representative, Trisha Oritz stated that there was no reportable action from the closed sessions.

8) ADJOURNMENT

Regular meeting session adjourned at 4:30 pm.

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

Executive Director's Report, September 24, 2020

Project Updates

Upstream Project

- Continued Upstream project design, including West Bayshore engineering design and 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.
- Renewed conversation with Army Corps regarding potential CAP 205 funding
- Pope-Chaucer Bridge Planning Application was distributed to Palo Alto, East Palo Alto and Menlo Park August 31. Courtesy copy sent to Stanford University. The submitted package includes a summary [project description, the Draft Arborist report, and preliminary design of Pope Chaucer Bridge](#).

The City of Palo Alto's internal review process determines the date when the Architectural Review Board (ARB) will have this item on their agenda. It will be no sooner than mid-October.

Staff will provide a brief review of the planning package, as submitted to our watershed partners for review.

- City Manager and staff coordination meeting, September 17.
 - Next upcoming meetings: Dec.10 and February 9.
- Communications with Stanford University and meeting September 21.
- The Final Basis of Design Report from Valley Water, necessary for permit applications for the Upstream Project anticipated by end of September.
- Funding gap update. Our current estimate of project funding shortfall is summarized below:

Unidentified Funding Scenarios				
Unidentified Funding/ Potential Shortfall	Assuming all grants & USACE (best case)	Assuming all preliminarily- awarded grants w/NO USACE (likely)	Assuming NO FEMA or USACE (conservative)	Assuming one grant & NO USACE ¹ (unlikely)
	\$15,209,818	\$19,279,818	\$22,279,818	\$30,100,824

¹ Total project cost minus \$2.875M in Prop 1 Grant funding and \$5M in Valley Water Contribution (not including labor).

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Agenda Item 5.0
Executive Director's Report

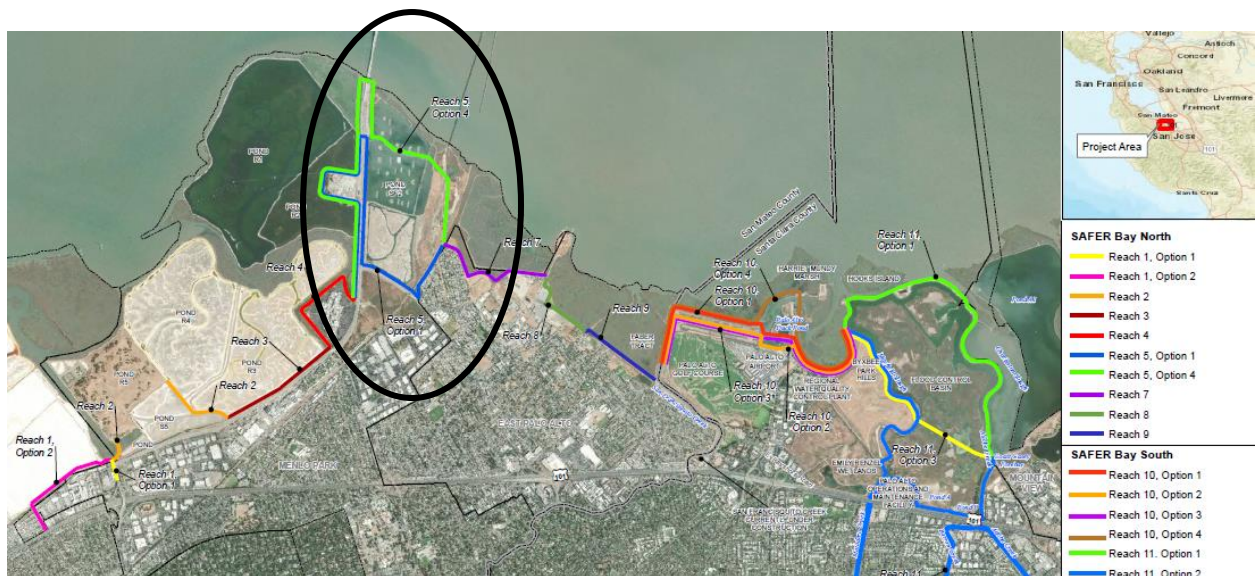
Staff is currently developing a more detailed cost breakdown of the anticipated funding shortfall by project elements that I plan to present at our meeting. We plan to further refine this by potential sequence and timing of the project elements. We'll be bringing this to a future meeting of the Finance Committee as part of a draft funding roadmap for discussion and refinement.

Meeting FEMA Freeboard

A Request for Proposals for a project that will augment our work in Reaches 1 and 2 to provide the freeboard needed to remove parcels from the FEMA floodplain. Staff plans to release the RFP before the end of September. We anticipate bringing a contractor on board before the end of the year.

SAFER Bay

- The SFCJPA is participating in an OES/FEMA Notice of Intent, with the City of Menlo Park as lead municipality for potential funding of up to \$50M for bay margin flood prevention work, including levee construction on Reach 5, and restoration of salt ponds R1 and R2.



The final application is due at the end of January 2021. This work would tie directly with SAFER Bay Phase 1 and will protect infrastructure critical to all member cities while enabling the restoration of former salt ponds to create a more resilient Bay margin for Menlo Park, East Palo Alto and Palo Alto.

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Organization/Administration Updates

- The updated website has gone live. We will segue here to a brief on-line tour of the new website. www.sfcjpa.org

I hope members of the board and the community will visit the website and provide feedback. We will continue to build out the site with additional documents and updates.

- 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.
- Regular communication and outreach continue.

Forward View of Board Agendas

Starting this month, I have added a forward view of future Board meeting agendas to my report. This is intended to facilitate better planning for and anticipate routine Board actions. Please review and provide your input on items that you would like to see on future agendas. This forward view will be updated each month.

Board Ad hoc Committee Meetings	Purpose	Date
Finance	Policy updates Funding map discussion	September 28, 2020
	Policy updates Funding map discussion	TBD

Regular Board meeting	Agenda Items
October 22	Project Updates Audit report Financial Policy Project Funding Roadmap (1 st round) 2020 Comprehensive Plan (incorporating Board and Public Comments)
November 19	Project Updates Board Practices & Policies Project Funding Roadmap (2 nd / final round) JPA Agreement
December 17	Project Updates

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Regular Board meeting	Agenda Items
	Year-in-Review Board Schedule for 2021* Executive Director Review
January*	Project Updates Board Roles
February*	Project Updates Employee Handbook/Policies
March*	Project Updates Draft Budget
April*	Project Updates Budget Approval
May*	
June*	

Comprehensive Plan

We are presenting our draft of the SFCJPA Comprehensive Plan. This plan is envisioned as a living document. This document provides the context of the creek, as well as how we, and our watershed partners, are working together to mitigate flood risks and 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 in the fall, and to support potential funding opportunities. As discussed at the August meeting, this initial Comprehensive Plan will focus on SFCJPA projects, but could be used as the basis of a future, watershed-level plan.

We will present the 2020 Comprehensive Plan, having taken into consideration Board and community comments, at the October 22 board meeting. Therefore, we are asking for any comments on this draft document by October 9th.

Our timeline is:

- Board and Public comments on draft outline – *August 27-September 4.*
- Initial draft plan presented to the Board– *September 24th 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.