



SAN FRANCISQUITO CREEK
JOINT POWERS AUTHORITY
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East Palo Alto, Menlo Park, Palo Alto, San Mateo County Flood Control District, and the Santa Clara Valley Water District

**Notice of Regular Meeting of the
SAN FRANCISQUITO CREEK JOINT POWERS AUTHORITY BOARD
City of Menlo Park Council Chambers
701 Laurel Street, Menlo Park, California
Thursday, December 15, 2011 at 4:30 p.m.**

AGENDA

- 1) ROLL CALL
- 2) APPROVAL OF MEETING MINUTES – November 17, 2011 Board Meeting
- 3) APPROVAL OF AGENDA
- 4) PUBLIC COMMENT – *Limited time for public comment on items not on the Agenda. Members of the public may address the Board on any Agenda item when that item is considered by the Board.*
- 5) REGULAR BUSINESS – EXECUTIVE DIRECTOR'S REPORT
 - a) Office location: Authorize Executive Director to sign office lease for 615 Menlo Avenue, Menlo Park
 - b) Grant applications: Update on proposals submitted to the California Department of Water Resources to improve San Francisco Bay levees
 - c) U.S. Army Corps of Engineers Feasibility Study: Update by San Francisco District Commander DiCiro
 - d) Federal policies and funding: Update by Thane Young, Washington, DC lobbyist for the City of Palo Alto
 - e) Discussion of proposed Santa Clara Valley Water District countywide special tax ballot measure
 - f) 2012 Board meeting schedule
- 6) BOARD MEMBER MATTERS - *Non-agendized comments, requests, or announcements by Board members; no action may be taken.*
- 7) ADJOURNMENT

PLEASE NOTE: This Board meeting Agenda can be viewed online by 4:30 p.m. on December 12, 2011 at www.sfcjpa.org -- click on the "Meetings" tab near the top. The reports for the items described on the Agenda will be available at the same online location by 4:30 p.m. on December 13, 2011.

NEXT MEETING: January 26, 2011 at the Menlo Park City Council Chambers.

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Chairperson Kwok called the meeting to order at 4:06 p.m. at the City of East Palo Alto Council Chambers, East Palo Alto, CA.

DRAFT

1) ROLL CALL

Members Present: Director Burt, City of Palo Alto
Chairperson Kwok, Santa Clara Valley Water District
Director Groom, San Mateo County Flood Control District
Director Abrica, City of East Palo Alto
Director Keith, City of Menlo Park

Alternates Present: Director Romero, City of East Palo Alto (in audience)

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

Legal Counsel: Not present

Others Present: Art Kraemer, Palo Alto resident; Trish Mulvey, Palo Alto resident; Jerry Hearn; Portola Valley resident; Dennis Parker, East Palo Alto resident; Joe Teresi, City of Palo Alto; Ann Stillman, San Mateo County Flood Control District; Kevin Sibley, Santa Clara Valley Water District

2) APPROVAL OF MEETING MINUTES – August 27, 2011 Board Retreat and SEPTEMBER 22nd Board Meeting

Director Abrica stated that his comment from the August 27, 2011 Board retreat regarding the inaccuracy of the maps that show the flooded areas from the 1998 flood needs to be more specific by including the Westside of East Palo Alto in his comment of areas not accurately reflected on the maps. Director Keith motioned for approval of the August 27, 2011 Board retreat minutes with changes suggested by Director Abrica. Director Abrica seconded. August 27, 2011 Board retreat minutes approved 5-0. Director Burt moved approval of the September 22, 2011 Board minutes. Director Abrica Seconded. September 22, 2011 Board minutes approved 4-0. Director Keith abstained.

3) APPROVAL OF AGENDA

Agenda approved 5-0.

4) PUBLIC COMMENT

Trish Mulvey, Palo Alto resident commented that now that the Board has affirmed the purposes with the revisions that were made in the previous meeting she does not feel that there is a specific strategic plan yet. Mrs. Mulvey asked that the Board consider if we have gotten to the strategic long-range vision, goals and objectives that they envisioned and if not help figure out how to get there in a way that does not interfere with doing the very high priority things that Mr. Materman has outlined for the next few months.

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5) REGULAR BUSINESS

Grant Applications: Approval of Resolutions #11-11-17A, #11-11-17B, #11-11-17C, and #11-11-17D authorizing the Executive Director to submit up to four applications to the California Department of Water Resources Local Levee Assistance Program to evaluate and design coastal levee improvements that would protect properties in East Palo Alto, Menlo Park, and Palo Alto, and provide ecosystem and recreational benefits

Mr. Materman provided background information for available grants from the State Department of Water Resources that the SFCJPA would be applying for. Mr. Materman stated that there are two grant programs that the SFCJPA intends to apply for on behalf of the Cities of Menlo Park and East Palo Alto. Mr. Materman asked that the Board approve Resolutions #11-11-17A, #11-11-17B, #11-11-17C, and #11-11-17D authorizing the Executive Director to submit up to four applications to the California Department of Water Resources Local Levee Assistance Program to evaluate and design coastal levee improvements that would protect properties in East Palo Alto, Menlo Park, and Palo Alto, and provide ecosystem and recreational benefits.

Chairperson Kwok asked who owned the levees and who was in charge of the maintenance of the levees. Mr. Murray responded saying that it is different on both sides of the Creek as ownership does not coincide with maintenance responsibilities. Mr. Murray continued saying that in Palo Alto the SCVWD assumes the responsibility of maintenance of the levees in Palo Alto with the exception of a very small section that is located adjacent to the Palo Alto Airport which is maintained by the County (Santa Clara). Mr. Murray said that in San Mateo County the two cities by default would assume maintenance responsibility although he is not aware of any maintenance programs that are currently active within each of those cities.

Chairperson Kwok asked if there was going to be an overlap with the fact that the SCVWD is submitting separate applications for the same grant funds. Mr. Materman replied saying yes that it is completely overlapped and that that is the beauty and curse of our predicament. Mr. Materman stated that the SCVWD staff is developing their Board reports for the SCVWD Board meeting and that the SCVWD staff has asked for material from the SFCJPA relative to the SFCJPA's application to incorporate in their Board reports.

Mr. Materman noted that there are questions from the SCVWD Counsel on whether the SCVWD should be an applicant for these things related to labor compliance issues. Mr. Materman said that there are labor compliance requirements that the state has that all entities would have to fulfill. Mr. Materman told the Board that our (SFCJPA's Legal counsel) has said that the labor compliance is not an issue for the SFCJPA for this particular project because we are not applying for construction funding. Mr. Materman said that on the Santa Clara County side, we are all in agreement that if the SCVWD proceeds with its application then it should proceed with this application for the Palo Alto levee and that if SCVWD legal counsel does decide that the SCVWD should not proceed then the SFCJPA will still engage a consultant to help write the application because we are positioned to quickly submit an application to protect Palo Alto.

Chairperson Kwok stated that he understood that the SFCJPA already has a consultant lined up. Mr. Materman responded saying yes that there is a consultant already lined up and that the SCVWD staff asked the SFCJPA to handle contracting with the consultant. Chairperson Kwok stated that he wants to make sure that there is no problem with the SCVWD and the SFCJPA applying for the same pot of money.

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Director Abrica stated that in terms of the overlap and competing with the funds can be looked at in two different ways and in writing the grant something could be included because the nature of our situation here is that the Creek is the county line. Director Abrica said that he has always seen this as vulnerability in away as there are all of these multiple jurisdictions so in his opinion it is complimentary to the degree that we can present those arguments to let people know, we have to compliment that otherwise we can't do it so if the SCVWD and the City of Palo Alto have to work together somehow with the SFCJPA so that we are competing, but we are really trying to be complimentary.

Director Abrica continued saying that it is sort of an obvious thing but sometimes it gets forgotten and when we are competing for money it's true that we are getting the money from the same place but if we were one county or one city than there would be no need for the SFCJPA. Director Abrica said that it is a political vulnerability and that so far we have done pretty good keeping all the pieces together.

Director Burt said that that because of the timeliness of the issue we had to figure out who was going to do what and Mr. Materman contacted Mike Sartor and Joe Teresi of the Palo Alto Public Works Department, who have been working with Mr. Materman over the last few weeks to consider what it would take to submit the applications if the City of Palo Alto were expected to come up with the local match. Then, since we would have to figure out if it would require a Council decision in order to authorize the application, we had meetings with two Palo Alto Council members, the representative to the SCVWD and the Alternate to the SFCJPA.

Director Burt continued saying that the outcome of the meetings was that we would be able to do this under the threshold of authorization of the City Manager if Palo Alto had to make an economic commitment but then it emerged that the agency that would be responsible for the maintenance would need to be the applicant and that is when we began having increased dialogue with the SCVWD and they were accommodating to moving up this matter onto their December agenda instead of discussing it in January. Director Burt asked either Mr. Sartor or Mr. Teresi to say a few words.

Mike Sartor, City of Palo Alto Public Works Director, stated that both he and Joe Teresi have been in contact with SCVWD staff members and more importantly Mr. Materman who sent them and e-mail yesterday explaining what he presented to the Board today that the SCVWD staff was planning to go to the SCVWD to have the Board approve the SCVWD being the lead agency for the grant application for both projects, both the study and design phase and that Palo Alto staff is certainly in support of that.

Director Keith thanked Mr. Materman for finding the Grant, bringing it forward so quickly and getting everyone on board. Director Keith thanked the City of East Palo Alto for taking the lead and putting up the \$300,000 to start the application process. Director Keith stated that the City of Menlo Park did draft a letter on Tuesday night to be included in this application process and that the City of Menlo Park approves of and wants to be a part of this process. Director Keith said that the City of Menlo Park has a Capital improvement project that they will be looking at and looking at the projects clarity to determine if they can also put some funding towards it and that discussion will be happening in February. Director Keith said they are all very supportive of the project and that on Tuesday night their legal counsel was very supportive of the project as well and they should be OK.

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Mr. Materman said that it has been a lot of effort to get to this point and more importantly it is going to be a lot more effort over the next few weeks by Mr. Murray and our consultants and that he wants everyone to understand that the time it takes to pull this type of grant application together is substantial and as we think about resources and the budget, if we want to go for these grants they're not undertaken without commitment of resources both staff and financial. Mr. Materman said that the SFCJPA would actually be hiring four different consultants to help with the Grants and he thinks as we saw with previous DWR application processes it is a wise investment.

Director Keith said that she would like to figure out how to take the levee all the way to the end of Haven Ave in Menlo Park. Director Keith said that we have the Atherton Channel there as well that floods consistently onto Haven Avenue and it could be a great benefit.

Chairperson Kwok asked for a motion to approve Resolutions #11-11-17A, #11-11-17B, #11-11-17C, and #11-11-17D. Mr. Materman said that he wanted to add a fifth resolution as 11-11-17A is the evaluation Resolution from San Francisquito Creek to Marsh Road and 11-11-17B is the design and environmental documentation resolution to University Ave.

Mr. Materman explained the difference of the resolutions saying that we are doing an evaluation of the levee all the way to Marsh and design and CEQA to University Avenue only. Mr. Materman said that the reason there is a difference there is because the East Palo Alto and Menlo Park border along the levees is at University Ave. Mr. Materman said the question of Maintenance is an important one that the City of East Palo Alto has said that it would commit to maintain the new levee that is built. Mr. Materman said that the State program that is for the evaluation piece does not require us to maintain the levee but the State program for design and CEQA does require it and the City of Menlo Park at this point is not in a position to say that it could maintain a new levee. Mr. Materman stated that we are trying to get a read from SFCJPA legal counsel and from the Department of Water Resources as it seems like the guidelines are contradictory in that area and as of right now we can submit an application that says we want to study the whole reach, Menlo Park and East Palo Alto, but we can only design within in the East Palo Alto portion, but the guidelines are contradictory and if we are able to design the whole reach to the Marsh Road area than we would like to try.

Mr. Materman said that it would be useful to add a fifth resolution that says design and evaluation for the whole reach of San Francisquito Creek to Marsh Road. Mr. Materman said that the question of going from Marsh Road to Haven is a separate question especially for the study aspect of it because it's not a tremendously larger amount and a local match could be provided by Menlo or possibly even the SFCJPA on a discretionary basis as the local match is only ten percent of the cost and from Marsh to Haven should not be significant cost deferential.

Mr. Murray stated that it gets tricky in that area because the elevation is such that it is hard to know where the levee would tie in north of Marsh Road, and you also have private property issues. Mr. Murray said that it comes with a lot of challenges to add that piece. Director Keith stated that there are sixteen properties that are owned by four private property owners now and that there has been a consolidation of ownership out there so that may make it a little bit easier to get the information we need. Director Keith said that she would like to amend that in the study aspect we take it from Marsh Road to Haven Ave.

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Mr. Materman said that Resolution 11-11-17A which is the evaluation from San Francisquito Creek to Marsh Road will be amended per Director Keith's suggestion to say from Marsh Road to Haven. Director Keith motioned to approve Resolution 11-11-17A with amendment from Marsh Road to Haven Ave. Director Abrica seconded. Resolution 11-11-17A with amendment from Marsh Road to Haven Ave approved 5-0.

City of East Palo Alto Mayor and SFCJPA Alternate Carlos Romero stated that though there will be a slight financial impact the City of East Palo Alto has made the whole \$300,000 available and that since we are not doing the design piece in Menlo Park, there should be enough funds to cover the additional amended piece.

Director Groom moved approval of Resolution 11-11-17B. Director Keith seconded. Resolution 11-11-17B Passed 5-0.

Director Groom moved approval of Resolution 11-11-17C. Director Burt Seconded. Resolution 11-11-17C approved 5-0.

Director Burt moved approval of Resolution 11-11-17D. Director Groom seconded. Resolution 11-11-17D approved 5-0.

Mr. Materman asked the Board to approve Resolution 11-11-17E with the amendment from Marsh Road to Haven Ave. Director Groom moved approval of 11-11-17E with amendment from Marsh Road to Haven Ave. Director Keith Seconded. Resolution 11-11-17E with amendment from Marsh Road to Haven Ave approved 5-0.

Chairperson Kwok thanked everyone for their hard work for these grant applications.

S.F. Bay – Highway 101 project: California Dept. of Water Resources grant and 2012 plan of activities

Mr. Materman provided an update on the SF Bay – Highway 101 project noting there has not been an update from the Depart of Water Resources regarding the final list projects for the Prop 1E grant results, though he did receive a message saying that all projects that made it to the final list would be receiving the full amount of funds requested in their applications. Mr. Materman said that he hoped we would have the final word by the SFCJPA December meeting.

Mr. Murray provided a summary of the updated schedule of the SF Bay – 101 Project and a description of how costs incurred by the SFCJPA might be eligible for credit as match funding under the 1E grant.

Director Keith asked if Mr. Materman had an idea of what the allowable credit will be. Mr. Materman responded saying that we do not yet know the costs of utilities and that we listed the value of land for an in-kind contribution and when we get the documents from state we should be able to get that info.

Chairperson Kwok asked if the responsibility for local matching funds would be the same formula used as the SFCJPA operating budget. Mr. Materman responded saying the first pursuit of funds would not be and that there has to be conversation with each member agency's staff, their senior staff members and with the Board along with finding out our allowable credit, then we will be able to determine cost share between the agencies

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Schedule and content of key issues for Board consideration between December 2011 and March 2012

Mr. Materman provided a calendar of key issues to be agendized at upcoming SFCJPA Board meetings through March 2012.

Chairperson Kwok asked Mr. Materman if during his most recent visit to DC, if there was any discussion on the early admission of section 104. Mr. Materman responded saying, in August of 2009 we applied for federal credit for section 104 and that between August 2009 and March 2011 the request never made it to headquarters and that in May of this year headquarters said that they would not accept any more section 104 requests, which caused an uproar all over the nation, but the Corps has said that there is an alternate process called Section 2003. Mr. Materman said that what he heard while he was in DC is that the upshot is that we just have to do what we can do locally and hope that we can get something from the Corps later. Director Keith stated that she felt that there was a very clear message of don't wait for the Corps as they won't be there. Director Keith said that in the spring, David Wegner, from the House Committee will be coming to visit us. Director Keith continued saying that we don't know what will happen with the flood insurance yet, but there is a possibility we won't be able to get people out of the flood insurance program.

Mr. Materman responded saying that the National Flood Insurance program gets authorized yearly but it is behind and that the Senate bill currently states that for properties that are behind a levee or a floodwall or some other kind of flood control facility there is a residual risk that even if those facilities are built to a 100 year level of protection with the associated freeboard etc. because those facilities could fail those properties should stay in the National Flood Insurance Program as it does provide some benefit. Mr. Materman noted that the House had the bill and there was an amendment within in the House to get rid of it that passed overwhelmingly. Mr. Materman said that if it does stay as is it will hurt as one our primary strategies is to get people to tax themselves or assess themselves and to do this means that they would no longer have to have the flood insurance payment and the letter that went from the Mayor of Palo Alto that was drafted this week and will be sent was urging Senators Feinstein and Boxer to join Senators Pryor and Cochrane to make an amendment to get rid of the extension. Director Keith stated that she would like to have a copy of the letter.

Mrs. Mulvey commented on the calendar of key issues presented by Mr. Materman saying that as she indicated earlier she hopes that the planning and description of the two to three year operating budget be complete with how the SFCJPA purposes can be integrated in the work that is going forward. Mrs. Mulvey also stated that the Board designated a committee for emergency response consideration at the retreat and we have not heard about since; it is not on this list and seems to have dropped off the radar and it is important to the Board members on the committee and the community.

Mr. Materman responded saying that there was a subcommittee formed consisting of Board members Burt and Abrica and that he has spoken with each of them, and that the take is that the outcome of the Board retreat will help guide where we go with subcommittee, but the SFCJPA statement of purposes have not been finalized yet. Mr. Materman said that we have to get back to the purposes statement in an upcoming Board meeting which will lead to the discussion of emergency response.

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Mr. Materman opened discussion of the Board meeting times noting that the next meeting is on December 15, and that a Board member has requested that we start that meeting at 5:00 pm. Mr. Materman noted that the SFCJPA staff is available to start the meeting at 5:00 p.m. and it may also help the time crunch that day. Mr. Materman said that he has had discussions with at least one Board member regarding having a starting time for our Board meetings be set at 5:00 pm. Chairperson Kwok asked if any of the Board members had any issues with starting the next Board meeting at 5:00 pm. Director Burt stated that he has a something on December 15 from that he could be late too, but he wanted to know if Board members were able to make a start time of 4:30 pm. Director Keith stated that she was the Board member with the conflict as the City of Menlo Park will be conducting interviews for a New City Manager on the 15th as it was the only date that all of Menlo Council members were available. Director Keith said that she believes that either she or Director Ohtaki should be able to make some of the meeting as it is in Menlo Park. Director Burt said that his suggestion going forward would be, if we do 5:00 pm meetings as a routine start that it is a 7:00 pm ending, so he suggests a 4:30 pm start. Director Abrica stated that he was good with a 4:30 start on December 15, and that going forward 4:30 would be acceptable for a start time.

Director Groom stated that she was good with 4:30 but she would have trouble with a 5:00 pm start as she has a standing meeting after the SFCJPA meeting.

Chairperson Kwok asked Mr. Materman to be sure to inform the Corps about the time change for the December 15 meeting.

6) BOARD AND ASSOCIATE MEMBER MATTERS - *Non-agendized comments, requests, or announcements by Board and/or Associate members, no action may be taken*

Chairperson Kwok stated that there would be a workshop for input regarding the Measure B funds and the dollar amount of funds available for construction projects for the SFCJPA. Chairperson Kwok urged the Board to get engaged in the funding discussion. Chairperson Kwok stated that the final meeting for the issue is scheduled for the first week of December and that he wants to make sure that the SFCJPA gets a good share of the \$407 million.

Director Burt stated that he had meeting with Palo Alto staff and that they would be scheduling a meeting with the SCVWD staff regarding the allocation of funds from Measure B.

Joe Teresi, Senior Engineer, City of Palo Alto, gave a brief update on the Newell Road Bridge/Cal-Trans project. Mr. Teresi noted that a request for proposals was issued, six proposals were received and that staff from East Palo Alto and Mr. Murray along with the City of Palo Alto staff worked together on the selection of the consultant.

Director Keith thanked Mr. Materman for helping the City of Menlo Park with their application for the Middlefield Road Bridge.

7) ADJOURNMENT:

Chairperson Kwok adjourned the meeting at 5:23 pm with Happy Thanksgiving wishes to everyone.

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

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Executive Director's Report

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

a) Office location: Authorize Executive Director to sign office lease for 615 Menlo Avenue, Menlo Park

Since the fall of 2008, the SFCJPA has leased office space on a month-to-month basis in a house near downtown Menlo Park owned by the Menlo Park Fire Protection District. This space on Hoover Street has worked well for our operations because it was a discreet space for our agency, it allowed us to host meetings of up to a dozen interagency staff, consultants, and/or members of the public, and it had ample parking and storage. In early November 2011, the Fire District informed the SFCJPA that the Hoover Street house is needed for their operations and it asked us to vacate the building by mid-December. Since early November, Miyko and I have researched available space and talked with City of Palo Alto real estate staff and private realtors. We have focused this effort on easily accessible areas within the three cities and properties adjacent to San Francisquito Creek. The most economical space we have found within these geographic areas that is a discreet space in which we can host interagency meetings and includes parking is one-half of a house in a commercial block of Menlo Avenue in Menlo Park. At the December 15 Board meeting, I will present the key elements of proposed one-year lease at this site, and request that the Board authorize me to sign this lease subject to a review by SFCJPA general counsel Greg Stepanicich.

Proposed Board Action: Authorize the Executive Director to sign a one-year lease for office space at 615 Menlo Avenue in Menlo Park.

b) Grant applications: Update on proposals submitted to the California Department of Water Resources to improve San Francisco Bay levees

At the November 17, 2011 SFCJPA Board meeting, the Board passed five resolutions authorizing the Executive Director to submit grant applications by December 8th to the Department of Water Resources' Local Levee Assistance Program (LLAP), which has about \$50 million available statewide. The LLAP was established to fund the evaluation and repair of levees in California that lie outside of the State Flood Control Plan in the Central Valley. The Board considered submitting two applications for coastal levee evaluations and for coastal levee design and environmental planning in East Palo Alto and Menlo Park, and two application for costal levee evaluations and levee design and environmental planning in Palo Alto.

On December 7th, the SFCJPA submitted grant application packages to study and to design levee improvements protecting East Palo Alto and Menlo Park. We secured letters of support from the cities of East Palo Alto and Menlo Park, the State Coastal Conservancy (South Bay Salt Pond Restoration Project), the Association of Bay Area Governments (San Francisco Bay Trail Project), and the U.S. Fish and Wildlife Service. At the time of the November Board meeting, the City of East Palo Alto had committed up to \$300,000 to offer as match funding for the grants and up to \$27,000 to reimburse the SFCJPA for consultants assisting with grant preparation. The City of Menlo Park will consider contributing to the local match through its Capital Improvement Program process early next year. We requested State funding (not including the local match) for evaluations of \$353,250 and for design and environmental documentation of \$1,344,375. The applications request the full 90% state match for which a disadvantage community whose median household income is below a certain threshold may apply. If the grants are awarded, the State may choose to award an amount lower than 90% of the project cost.

On the Palo Alto side of Creek, as of the November 17 SFCJPA Board meeting, it was undecided whether the SFCJPA or the Santa Clara Valley Water District would apply for this grant, which is why the SFCJPA Board passed resolutions for this area. Soon after the November SFCJPA Board meeting, the SCVWD determined that it would apply to this program for the evaluation, design and environmental documentation of coastal levee improvements from San Francisquito Creek to the Guadalupe River in San Jose. A consultant to the SFCJPA helped the Water District prepare the application, for which the Water District will reimburse the SFCJPA.

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c) U.S. Army Corps of Engineers Feasibility Study: Update by San Francisco District Commander DiCiro

At the December 2010 SFCJPA Board meeting, Lt. Colonel DiCiro, Commander of the San Francisco District of the U.S. Army Corps of Engineers, reported on the progress of the Corps' Feasibility Study. Col. DiCiro spoke about the Corps' plans in 2012 to make progress on the following portions of the Study:

- coastal floodplain mapping;
- the Environmental Setting Report, which contains reports on biological and cultural resources, sediment and groundwater quality, and hazardous, toxic and radioactive waste;
- an economic analysis of projected damages over 50 years from creek and coastal flooding;
- the Feasibility Scoping Meeting with Corps Headquarters, which establishes the current conditions and federal interest in moving forward with a federal plan.

At that Board meeting, Col DiCiro committed to returning in late 2011 to update the Board on these efforts.

Since his visit one year ago, the Corps has made slow but steady progress on several items, most notably the analysis of coastal flood risk in East Palo Alto and Menlo Park (a detailed coastal analysis was already undertaken on the Palo Alto side by the Shoreline Study), and an economic analysis of anticipated creek and coastal flooding in Palo Alto, East Palo Alto and Menlo Park. This progress has been made through the contribution of approximately \$300,000 in SFCJPA funds (divided equally by the Santa Clara Valley Water District and San Mateo County Flood Control District), which is in addition to our federal funding match of \$175,000 -- the amount of federal money provided by the Corps FY11-12 Workplan.

At the December 15th meeting, Col DiCiro will provide an update of Corps' work on the Study, including the results of its economic analyses that will be important to deciding: 1) the SFCJPA's participation in the Study absent additional federal funding, and 2) the scope of the Study moving forward, i.e. whether to limit the Study to addressing creek flooding or to include coastal flooding.

d) Federal policies and funding: Update by Thane Young, Washington, DC lobbyist for the City of Palo Alto

The lobbyist for the City of Palo Alto, Thane Young of the firm Van Scoyoc Associates, has been very helpful to the SFCJPA by following and acting on issues that affect our work. Most recently, he and East Palo Alto's lobbyist worked together to schedule two days of meetings in DC for SFCJPA Board member Kirsten Keith, alternate Board member Carlos Romero and myself to discuss our project with leaders at the Corps, staff at the Office of Management and Budget, and Congressional staff. In addition to federal funding issues, Thane follows policy issues closely, including a current bill in Congress to reauthorize the National Flood Insurance Program that could affect our ability to raise funds locally from property owners paying into that program. At the December SFCJPA Board meeting, Thane will make a brief presentation on the status of funding and policy discussions in DC and answer questions from Board members.

e) Discussion of proposed Santa Clara Valley Water District countywide special tax ballot measure

At the November SFCJPA Board meeting, Chairperson Kwok reported that the Santa Clara Valley Water District is actively planning its next bond measure and that the SFCJPA and its member agencies may want to contribute to those plans soon. A brief background on this topic is that in November of 2000, the voters of Santa Clara County narrowly approved the "Clean, Safe Creeks and Natural Flood Protection Plan", a special tax ballot measure to fund activities by the Santa Clara Valley Water District over fifteen years, including Water District contributions to the planning and design of projects related to San Francisquito Creek.

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As Chairperson Kwok mentioned, this fall Water District staff developed a plan for a new ballot measure called the "Safe, Clean Water and Natural Flood Protection Plan" to provide funding beyond the fifteen year period of the November 2000 measure. At community meetings within the past six weeks, City of Palo Alto and SFCJPA staff were invited to learn about and comment on the details of the plan in regards to San Francisquito Creek, including a proposed dollar amount to provide 100-year protection from the S.F. Bay-Highway 101 and 50-year protection upstream of Highway 101, with "support and funding provided by regional partners." Last week, City of Palo Alto elected officials and staff met with Water District Board members and staff to discuss this proposal.

Next week, SFCJPA and City of Palo Alto staff are scheduled to meet with Water District staff to discuss how we can ensure that the new ballot measure: 1) can complete the construction of SFCJPA project elements, and 2) takes into account the opportunities and constraints of other potential funding sources that can complement a Water District measure.

The Water District Board is scheduled to discuss the proposed ballot measure at their December 20 meeting, and next July they are scheduled to decide whether to place it on the November 2012 ballot. This SFCJPA Board agenda item is intended to allow staff from the SFCJPA and Water District, and Board members from both entities, to update the entire SFCJPA Board on these developments. Following this Board meeting, we plan to engage staff from all member agencies in this process.

f) 2012 Board meeting schedule

For Board member and public information, attached to this Report is a draft schedule for SFCJPA Board meetings in 2012. While we will still alternate meetings between the city council chambers of Palo Alto, East Palo Alto, and Menlo Park, due to conflicts with the availability of city council chambers, the order of rotation between cities has been reversed. The other change, following the discussion at the November Board meeting, is that the proposed start time for meetings is 4:30 p.m. At the Board meeting, we would like to confirm that this new start time is preferred by Board members.

Submitted by:


Len Materman
Executive Director

San Francisquito Creek Joint Powers Authority

Board of Directors

DRAFT 2012 Meeting Schedule

Thursday, January 26

4:30 pm - 6:00 p.m.
JPA Regular Board Meeting
City of Menlo Park Council Chambers
701 Laurel Street
Menlo Park

Thursday, February 16

4:30 - 6:00 p.m.
JPA Regular Board Meeting
City of East Palo Alto Council Chambers
2415 University Avenue
East Palo Alto

Thursday, March 22

4:30 pm - 6:00 p.m.
JPA Regular Board Meeting
City of Palo Alto Council Chambers
250 Hamilton Ave
Palo Alto

Thursday, April 19

4:30 pm - 6:00 p.m.
JPA Regular Board Meeting
City of Menlo Park Council Chambers
701 Laurel Street
Menlo Park

Thursday, May 24

4:30 pm - 6:00 p.m.
JPA Regular Board Meeting
City of East Palo Alto Council Chambers
2415 University Avenue
East Palo Alto

Thursday, June 28

4:30 pm - 6:00 p.m.
JPA Regular Board Meeting
City of Palo Alto Council Chambers
250 Hamilton Ave
Palo Alto

Thursday, July 26

4:30 - 6:00 p.m.
JPA Regular Board Meeting
City of Menlo Park Council Chambers
701 Laurel Street
Menlo Park

Thursday, August 23

4:30 pm - 6:00 p.m.
JPA Regular Board Meeting
City of East Palo Alto Council Chambers
2415 University Avenue
East Palo Alto

Thursday, September 27

4:30 pm - 6:00 p.m.
JPA Regular Board Meeting
City of Palo Alto Council Chambers
250 Hamilton Ave
Palo Alto

Thursday, October 25

4:30 pm - 6:00 p.m.
JPA Regular Board Meeting
City of Menlo Park Council Chambers
701 Laurel Street
Menlo Park

Thursday, November 15

4:30 pm - 6:00 p.m.
JPA Regular Board Meeting
City of East Palo Alto Council Chambers
2415 University Avenue
East Palo Alto

Thursday, December 13

4:30 pm - 6:00 p.m.
JPA Regular Board Meeting
City of Palo Alto Council Chambers
250 Hamilton Ave
Palo Alto