



SAN FRANCISQUITO CREEK

Joint Powers Authority

www.sfcjpa.org

East Palo Alto, Menlo Park, Palo Alto, San Mateo County Flood Control District, and the Santa Clara Valley Water District

**Notice of Special Meeting of the
SAN FRANCISQUITO CREEK JOINT POWERS AUTHORITY BOARD
City of Menlo Park Council Chambers
701 Laurel Street, Menlo Park, California
Chairperson: Honorable Heyward Robinson
Thursday, March 25, 2010 at 4:00 p.m.**

AGENDA

- 1) ROLL CALL
- 2) APPROVAL OF MEETING MINUTES: JANUARY 28, 2009 BOARD MEETINGS
- 3) APPROVAL OF AGENDA
- 4) CONSENT CALENDAR – *None*
- 5) PUBLIC COMMENT – *Limited time for public comment on items not on the agenda.*
- 6) REGULAR BUSINESS – EXECUTIVE DIRECTOR’S REPORT
 - a) Board organization: appointments to Board Committees
 - b) SFCJPA Proposed Fiscal Year 2010-2011 Operating Budget
 - c) Alternatives to provide flood protection and other benefits between Hwy. 101 and El Camino Real
 - d) S.F. Bay to Highway 101 capital project Communications Plan
- 7) BOARD AND ASSOCIATE MEMBER REPORTS – *Agendized reports from Board and/or Associate Members requesting Board action.*
- 8) BOARD AND ASSOCIATE MEMBER MATTERS - *Non-agendized comments, requests, or announcements by Board and/or Associate members, no action may be taken.*
- 9) ADJOURNMENT

PLEASE NOTE: *Agenda packet will be posted by 4:00 p.m. on Wednesday, March 24, 2010 at: www.sfcjpa.org and click on the “Meetings” tab near the top.*

NEXT MEETING: April 29, 2010, 4:00 p.m. at the Menlo Park City Council Chambers.

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March 25, 2010 Board Meeting

Agenda Item 2

January 28, 2010 Board Meeting Minutes

Chairperson Robinson called the meeting to order at 4:12 p.m. at the City of Palo Alto Council Chambers, Palo Alto, CA.

DRAFT

1) ROLL CALL

Members Present: Chairperson Robinson, City of Menlo Park
Director Kwok, Santa Clara Valley Water District
Director Abrica, City of East Palo Alto
Director Burt, City of Palo Alto not present at role call

Members Absent: Director Gordon San Mateo County Flood Control

Alternates Present: Director Groom

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

Legal Counsel Present: Gregory W. Stepanicich

Others Present: Art Kraemer, Palo Alto Resident; Trish Mulvey, Palo Alto resident;
Mary & John Schaefer, Palo Alto residents; Chris Elias, Santa Clara
Valley Water District; Jason Christie, Santa Clara Valley Water
District; Tom Zigterman, Stanford; Ann Stillman, San Mateo County
Flood Control District; Brian Molver, San Mateo County OES; Anthony
Docto, City of East Palo Alto Public Works; Joe Teresi, City of Palo
Alto Public Works; Matt Jacobs, Supervisor Rich Gordon's office, San
Mateo County Flood Control District; Tom Rindfliesch, Palo Alto
resident and Technical Advisory Committee member.

2) APPROVAL OF MEETING MINUTES: DECEMBER 17, 2009 BOARD MEETINGS

Minutes approved 3-0. Director Groom Abstained.

3) APPROVAL OF AGENDA

Agenda approved 4-0.

4) CONSENT CALENDAR

None.

5) PUBLIC COMMENT

None.

6) REGULAR BUSINESS – EXECUTIVE DIRECTOR'S REPORT

Board organization: appointments to Board

Mr. Materman provided the Board with information on the JPA process for Board appointments, and noted that the Chair and Vice-Chair are two-year appointments and that Chairperson Robinson and Vice-Chairperson Kwok are half-way through their appointments. Director Kwok stated that if there is no urgency to appoint members to the Personnel Committee we should wait until all Board members are present to make the appointments. No action taken.

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Proposed SFCJPA California Environmental Quality Act (CEQA) Guidelines

Mr. Materman and Mr. Stepanicich briefly outlined the mandatory guidelines for the California Environmental Quality Act (CEQA).

Director Groom moved approval of Resolution 10-012a. Director Kwok second. Resolution 10-012a approved 4-0.

Federal Fiscal Year 2011 funding requests to Senator Feinstein and Representative Eshoo

Mr. Materman presented draft copies of the 2011 funding requests to Senator Feinstein and Representative Eshoo. Mr. Materman proposed the following change to the letter: *We seek federal funding for the \$2,000,000 annual Corps capability on this project. When matched by local funds this amount could allow us to finish the Feasibility Study, which was authorized six years ago but is only about one-third complete. The Santa Clara Valley Water District and the City of Palo Alto are submitting a similar FY 2011 request to your office.* Mr. Materman asked that the Board approve the two letters with flexibility to change the language in anticipation of the release of the President's budget.

Chairperson Robinson suggested adding a historical chart that shows what we have asked vs. what we have received. Chairperson Robinson also asked that a historical axis chart be added that shows the local support as well as the Federal support as this will allow our electeds to see that local support has been steady while Federal support has been deflating. Chairperson Robinson also stated that pictures should be added to the request packets as well.

Director Kwok concurred with Chairperson Robinson and added that we really need to show the trend of support and progress from the local share vs. the federal share as this is very important background information. Director Kwok also suggested giving both Senator Feinstein and Congresswoman Eshoo's office a briefing of what we are sending so that they know what to expect.

Director Abrica noted that the City of Palo Alto and the Santa Clara Valley Water District are submitting a request on the behalf of the JPA as well and he questioned if the cities should make separate requests too so that there is a more coordinated effort for support. Mr. Materman responded saying that the more entities who ask for money for the JPA the better. Mr. Materman continued to say that the JPA is the lead agency and that we do need letters of support from all our member agencies as they are very helpful and should be added to the request.

Chairperson Robinson stated that one of the biggest challenges when submitting these request is the fact that the decisions are not made by staff and it is staff that knows what is going on. Chairperson Robinson continued saying that if there is any confusion for the decision makers they will ultimately just say no. Chairperson Robinson said that Director Abrica is correct that we really do have to be clear on what we are asking for in this request. Mr. Materman asked for clarification regarding the receipt of letters of support from the SMCFCFD and the Cities of Menlo Park and East Palo Alto quickly to ensure that all five member agencies are in full support of the project. Chairperson Robinson motioned. Director Kwok seconded. Motion approved 4-0.

7) INFORMATIONAL ITEMS

January storm events

Mr. Murray provided the Board with a summary of the January storm events. Chairperson

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Robinson stated that he had heard that the creek monitor was not working throughout the whole event. Joe Teresi, City of Palo Alto, responded by saying that there was a power outage in the city that knocked the monitor out for a brief period of time. Chairperson Robinson asked if the monitors are able to run on a battery backup system. Mr. Teresi stated that staff is looking into the issue.

Alternatives to provide flood protection and other benefits from Hwy. 101 to El Camino Real

Mr. Materman stated that the water district has provided staff time to help him and Mr. Murray work through the possibilities of providing flood protection and other benefits from highway 101 to the El Camino real. Mr. Materman presented a map showing some of the possible options for accomplishing this flood protection. Mr. Materman noted that in March he intends to have a serious discussion on how to fund this project.

Director Abrica departed at 5:05 pm

Director Kwok asked if there has been some discussion regarding the level of protection for this project, are we looking to provide to a 100-year flood level or a 75-year flood level. Mr. Materman replied saying that for the downstream areas the Board decided to seek 100-year flood protection however, for this reach the discussion has not happened because we need to have a more in depth knowledge of the actual cost of the possible options.

Chairperson Robinson asked for clarification on the capacity level for the University Ave Bridge as he has a vague recollection it has sufficient capacity. Mr. Murray replied saying that it has enough capacity for the amount of water it receives now due to upstream constrictions, but that for a 100-year flood protection level there is some work that needs to be done as there is a higher standard from FEMA regarding bridges.

Trish Mulvey, Palo Alto resident, asked that mitigating expectations be included for the project criteria and that traffic capacity of the Newell street bridge not be changed.

Art Kraemer, Palo Alto resident stated that while it is good to look at the Newell and University bridges, we need to focus on minimizing short term flooding while we are still look at the bigger project.

Mr. Materman said that by March we will have a better understanding on what alternatives there are and we will begin going to Council/Board meetings of each member agency to give presentations on the various options.

Chairperson Robinson asked what ideas are being thought about in regards to recreation in this stretch. Mr. Materman replied saying that we are still looking into this but we do know that we do not want to wall off the creek from the residents as they have expressed that they want to be able to stay active in the Creek. Chairperson Robinson asked about the project the City of East Palo Alto is planning for putting a pedestrian bridge over 101 and he asked if the City is going to tie this project into the Caltrans Bridge.

Anthony Docto, Public Works Director East Palo Alto, stated that the City of East Palo Alto is looking around the Pulgas area for this pedestrian bridge and that there has not been discussion of combining the two projects.

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Director Groom stated that she would like to see more details and a work plan or matrix of what the possible extras would be and what they would cost. Director Bloom stated that there is some money that is available for recreational paths that connect cities.

Mr. Materman acknowledged Tom Rindfliesch and thanked him for his hard work noting that without it we would not be this far into studying the options for this reach in the creek.

S.F. Bay to Highway 101 capital project update

Mr. Murray provided the Board with an update of the SF Bay to Highway 101 capital projects. Mr. Murray noted that the consultants have begun working collecting field data.

New SFCJPA website

Mr. Materman presented the new JPA website. Chairperson Robinson asked about the JPA creek monitor. Mr. Materman stated that we need to go in the direction of an alternate contractor. Mr. Materman said that we can access the data; we have trained the staff of the MPFPD on how to access and read the data and the information was also forwarded to each member agency's Public Works Director.

2010 Board meeting schedule

Mr. Materman presented the updated 2010 Board schedule. Director Kwok stated that he will be out of the country unless on the scheduled February Board meeting date. Director Kwok asked if we can see if Board members are available to move the February Board meeting date to Friday, February 26. Chairperson instructed Mr. Materman to have staff poll the Board regarding the February Board meeting date.

- 8) **BOARD AND ASSOCIATE MEMBER REPORTS** - *Agendized reports from Board and/or Associate Members requesting Board action.*
None.

- 9) **BOARD AND ASSOCIATE MEMBER MATTERS** - *Non-agendized comments, requests, or announcements by Board and/or Associate members, no action may be taken.*
Director Kwok informed the Board that in 2011 the Santa Clara Valley Water District will be going through a redistricting process. Director Kwok said that there will be two additional Board seats added, resulting in a seven member Board instead of a five member Board. Director Kwok continued to explain that currently each district is responsible for about 300,000 people and with the added Board members the population of each district will be recalculated. Director Kwok encouraged Palo Alto residents to attend the upcoming meetings as a discussion of removing the Cities of Palo Alto and Mtn. View out of district 5 is coming up with the final decision being made by April. Director Kwok noted that the next meeting is February 16, 2010 and that the SCVWD is also looking for applications for the vacant seats. Director Kwok added that under the new law anyone who lives within Santa Clara County can run for any seat on the Board of Directors.

10) **ADJOURNMENT:**

Chairperson Robinson adjourned the meeting at 5:49 pm.

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

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March 25, 2009 Board Meeting
Agenda Item 6
Executive Director's Report

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

a) Board organization: appointments to Board Committees

This item is a continuation from the last Board meeting. Its purpose is to fill an open position on the Board's Personnel Committee. Current Board members serving on committees include Directors Robinson and Kwok on the Finance Committee and Director Abrica on the Personnel Committee.

b) SFCJPA Proposed Fiscal Year 2010-2011 Operating Budget

Attached to this Report are three documents, including: 1) FY 2009-10 revenues, approved Operating Budget, and estimated total operating expenses, 2) the estimated FY 2009-10 total operating expenses and proposed FY 2010-11 Operating Budget, and 3) the proposed FY 2010-11 Operating Budget. In early March, the Board Finance Committee reviewed these documents. The highlights of these documents are as follows:

- 1) The SFCJPA did not increase Member Agency contributions this year, and is not requesting an increase for the next Fiscal Year.
- 2) The cost of benefits for the SFCJPA continues to escalate, and next year it will consume almost 23% of the Authority's budget. Also increasing is the amount SFCJPA employees pay for their share of health benefits.
- 3) During the current Fiscal Year, the SFCJPA's legal expenses are higher than expected because of the multiple contracts and interagency agreements required for our capital project. Next year, we anticipate an even higher legal bill if the agency moves towards establishing a financing district to raise funds for capital projects.
- 4) We will have spent only \$18,000 of our Project Consultants line item this year, and will apply much of the \$32,000 savings to next year's Project Consultant line as we move towards establishing a financing district. With the SFCJPA's increasing workload, this number will likely remain high for the foreseeable future.
- 5) The Administrative portion of the budget has continued to decrease (minus a one-time website development cost). Next year, we anticipate it will be constitute only 6% of our overall budget.
- 6) This year we anticipate a surplus of about \$22,000, while next year the Proposed Budget contains an anticipated deficit of \$58,337 (which is slightly over 10% of the annual SFCJPA Budget). The overall \$36,000 impact on our reserves is manageable in the short term, but unsustainable over the long term.

Proposed Board Action: Approve the Proposed SFCJPA Fiscal Year 2010-11 Operating Budget.

c) Alternatives to provide flood protection and other benefits between Hwy. 101 and El Camino Real

As was reported to the Board in January, SFCJPA staff have been working with technical staff from the Santa Clara Valley Water District to develop a suite of possible project alternatives to provide flood protection and other benefits to properties between Highway 101 and El Camino Real. All alternatives presented here assume as a baseline condition the successful completion of the SFCJPA Bay-101 capital project and Caltrans' Highway 101 project at the San Francisquito Creek overcrossing.

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Executive Director's Report

The effort to develop 101-El Camino Real project alternatives consists of engineering evaluations. Following SFCJPA Board discussions, and discussion with its member agency governing bodies and members of the public over the next few months, we will recommend to the SFCJPA Board a preferred alternative. That alternative, combined with the our Bay-101 capital project and Caltrans' Highway 101 project, will constitute the SFCJPA's Comprehensive Flood Protection Project, which we request that Congresswoman Eshoo include in the 2010 Water Resources Development Act.

Following Board approval of a preferred project alternative in the 101-El Camino Real reach, I anticipate that SFCJPA staff will continue to work with Water District staff to develop 30% design level documentation, a precise cost estimate, and a public outreach plan. These will be brought back to the SFCJPA Board late this year, and presented to the public as part of a funding request to pay for the costs of the projects.

It is our intent that the SFCJPA's Comprehensive Flood Protection Project will ultimately become a component of the final product developed by the Corps of Engineers (Corps), so that construction of the SFCJPA Project is eligible for federal funding. In order to be acceptable to the Corps, the Project must incorporate new data from the Corps Feasibility Study as it becomes available, and follow Corps planning guidelines, which includes developing objectives and constraints, and criteria and measures.

At today's Board meeting, I will present four project alternatives for discussion by the full Board. At this time, no Board action is requested. As mentioned above, this is the first of many public presentations on this material, and each of you will see it again at a meeting of your governing board in June or July.

d) S.F. Bay to Highway 101 capital project Communications Plan

The JPA's design consultant on this project is HDR, Inc. Their communications manager assigned to our project, Peter Castles, will present to the Board our draft Public Outreach Plan for engaging the community in the design and environmental review of the Bay-101 project. Key stakeholders from the community and the JPA member agencies have participated in the development of the draft Plan, and today's Board discussion will contribute to it.

Broad community involvement and diverse stakeholder input are critical to any successful planning and design effort. Projects benefit greatly from a basic, guiding outreach plan that helps ensure engagement efforts are sufficiently inclusive and clearly directed by an approach that is integrated with key technical tasks and milestones. The attached work plan includes a balanced mix of outreach strategies and tactics designed to help maximize community awareness and input opportunities during development of this capital project with the SFCJPA's Comprehensive Flood Protection Project.

In terms of overall vision and strategy, initial outreach efforts will focus on facilitating a practical level of community collaboration in project development (i.e., getting early input on key issues that may require public/stakeholder buy-in prior to substantial progress on design and CEQA). To maintain an efficient schedule and build a fully defensible design and environmental document, it will be critical to identify and resolve community issues within the first few months, culminating with 30% design and environmental scoping. Once 30% design and scoping have been completed, outreach activities will become more informational in nature, while still allowing for public comment and feedback.

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Outreach efforts and messaging will seek to build a level of trust with the community that helps produce the JPA's desired project outcomes, which are to: 1) accurately represent stakeholder perspectives, and 2) serve the JPA's goal of developing a feasible design that is desirable and publicly supported and meets flood protection and ecosystem restoration goals and considers possible recreational opportunities. Throughout project development, the outreach program will seek to convey the project's specific benefits in protecting homes, businesses, and other facilities. Recognizing the diversity of affected communities and stakeholders, it will be important to find the right ways to express these benefits and show "what's in it for them."

Outreach components include public meetings and workshops, stakeholder/small group meetings, project fact sheets, web content, media outreach, and tabling at key locations within the community and at events (such as farmer's markets).

Submitted by:



Len Materman
Executive Director

San Francisquito Creek Joint Powers Authority
FY 2009-10: Revenues, Approved Operating Budget, and Estimated Total Operating Expenses

REVENUES:

Base Member Contribution (\$98,000 X 5)	490,000
SCVWD Contribution For Feasibility Study Consult	15,000
Interest	2,500
Total Revenues	\$507,500

EXPENSES

Acct. Fields	Description	Approved FY 2009-10 Budget	Estimated FY 2009-10 total expenses	Difference between approved budget and estimated annual expenses
Personnel				
1101	Executive Director Salary	110,000	110,000	0
1102	Executive Director Transportation Allowance	5,000	5,000	0
1103	Finance Administrator Salary	63,871	63,871	0
1104	Project Manager Salary	74,154	74,154	0
1105	Salaries Adjustments	0	0	0
1106	COLA	0	0	0
1107	Employee Benefits	100,809	116,515	-15,706
1108	Membership Dues	3,150	3,110	40
1109	Payroll Administration/Fees	4,130	2,500	1,630
1110	Payroll Taxes	18,000	16,000	2,000
	Subtotal Personnel	379,114	391,150	-12,036
Contract Services				
1111	Legal Counsel	15,000	20,000	-5,000
1112	Auditor	12,000	12,000	0
1113	Project Consultants	50,000	18,000	32,000
	Subtotal Contract Services	77,000	50,000	27,000
Administrative				
1114	Computers/Software/Support	1,500	1,118	383
1115	Meeting Supplies	1,100	700	400
1116	Travel/Training	3,000	1,500	1,500
1117	Office Supplies	1,500	1,500	0
1118	Telecommunication	1,200	1,205	5
1119	Postage	150	150	0
1120	Printing/Design	750	750	0
1121	Website	2,250	7,500	-5,250
1122	Liability Insurance	6,132	5,100	1,032
1123	Office Lease	18,000	18,000	0
1124	Utilities	1,800	800	1,000
1125	Office furniture/maintenance	500	500	0
	Subtotal Administrative	37,882	38,823	-941
General Contingency				
1130	General Contingency	10,000	2,000	8,000
	Total Expenses	\$503,996	\$481,973	\$22,024

San Francisquito Creek Joint Powers Authority

Estimated FY 2009-10 Total Operating Expenses and

Proposed FY 2010-11 Operating Budget

EXPENSES

Acct. fields Description	Estimated FY 2009- 10 total expense	Proposed FY 2010-11 budget
Personnel		
1101 Executive Director Salary	110,000	110,000
1102 Executive Director Transportation Allowa	5,000	5,000
1103 Finance Administrator Salary	63,871	63,871
1104 Project Manager Salary	74,154	74,154
1105 Salaries Adjustments	0	0
1106 COLA	0	0
1107 Employee Benefits	116,515	125,000
1108 Membership Dues	3,110	3,150
1109 Payroll Administration/Fees	2,500	4,130
1110 Payroll Taxes	16,000	16,000
Subtotal Personnel	391,150	401,305
Contract Services		
1111 Legal Counsel	20,000	25,000
1112 Auditor	12,000	12,000
1113 Project Consultants	18,000	70,000
Subtotal Contract Services	50,000	107,000
Administrative		
1114 Computers/Software/Support	1,118	1,200
1115 Meeting Supplies	700	1,500
1116 Travel/Training	1,500	3,000
1117 Office Supplies	1,500	1,500
1118 Telecommunication	1,205	1,200
1119 Postage	150	200
1120 Printing/Design	750	400
1121 Website	7,500	600
1122 Liability Insurance	5,100	6,132
1123 Office Lease	18,000	18,000
1124 Utilities	800	800
1125 Office furniture/maintenance	500	500
Subtotal Administrative	38,823	35,032
General Contingency		
1130 General Contingency	2,000	10,000
Total Expenses	\$481,973	\$553,337

San Francisquito Creek Joint Powers Authority
Proposed FY 2010-11 Operating Budget

REVENUES:

Base Member Contributions	(\$98,000 X 5)	490,000
Interest		5,000
Total Revenues		\$495,000

EXPENSES

Acct. Fields	Description	Proposed FY 2010-11 Operating Budget
Personnel		
1001	Executive Director Salary	110,000
1002	Executive Director Transportation Allowance	5,000
1003	Finance Administrator Salary	63,871
1004	Project Manager Salary	74,154
1005	Salaries Adjustments	0
1006	COLA	0
1007	Employee Benefits	125,000
1008	Membership Dues	3,150
1009	Payroll Administration/Fees	4,130
1010	Employer Taxes	16,000
Subtotal Personnel		401,305
Contract Services		
1011	Legal Counsel	25,000
1012	Auditor	12,000
1013	Project Consultants	70,000
Subtotal Contract Services		107,000
Administrative		
1014	Computers/Software/Support	1,200
1015	Meeting Supplies	1,500
1016	Travel/Training	3,000
1017	Office Supplies	1,500
1018	Telecommunication	1,200
1019	Postage	200
1020	Printing/Design	400
1021	Website	600
1022	Liability Insurance	6,132
1023	Office Lease	18,000
1024	Utilities	800
1025	Office furniture/maintenance	500
Subtotal Administrative		35,032
General Contingency		
1026	General Contingency	10,000
Total Expenses		\$553,337