



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 East Palo Alto Council Chambers
2415 University Avenue, East Palo Alto, California
Chairperson: Honorable Heyward Robinson
Thursday, May 27, 2010 at 4:00 p.m.**

AGENDA

- 1) ROLL CALL
- 2) APPROVAL OF MEETING MINUTES: APRIL 29, 2010 BOARD MEETING
- 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) Engaging a new SFCJPA Auditor
 - b) Public and Member Agency outreach in June and July
- 7) STUDY SESSION -- S.F. Bay to Highway 101 capital project preliminary design
- 8) BOARD MEMBER REPORTS – *Agendized reports from Board Members requesting Board action.*
- 9) BOARD MEMBER MATTERS - *Non-agendized comments, requests, or announcements by Board members, no action may be taken.*
- 10) ADJOURNMENT

PLEASE NOTE: *Agenda packet will be posted by 4:00 p.m. on Wednesday, May 26, 2010 at: www.sfcjpa.org and click on the "Meetings" tab near the top.*

NEXT MEETING: July 22, 2010, 4:00 p.m. at the Palo Alto City Council Chambers.

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Chairperson Robinson called the meeting to order at 4:07 p.m. at the City of Menlo Park Council Chambers, Menlo Park, CA.

DRAFT

1) ROLL CALL

- Members Present: Chairperson Robinson, City of Menlo Park
Director Kwok, Santa Clara Valley Water District
Director Burt, City of Palo Alto not present at roll call (arrived at 4:14 pm)
- Members Absent: Director Gordon, San Mateo County Flood Control District
Director Abrica, City of East Palo Alto
- Alternates Present: Director Romero, City of East Palo Alto
- JPA Staff Present: Len Materman, Executive Director
Kevin Murray, Staff
Miyko Harris-Parker, Staff
- Legal Counsel Present: Greg Stepanicich
Robin Harris
Trisha Ortiz
- Others Present: Dennis Parker, East Palo Alto Resident; Art Kraemer, Palo Alto Resident; Trish Mulvey, Palo Alto resident; Jerry Hearn, Portola Valley Resident; Chris Elias, Santa Clara Valley Water District; Jason Christie, Santa Clara Valley Water District; Tom Zigterman, Stanford; Joe Teresi, City of Palo Alto Public Works; Ann Stillman, San Mateo County Flood Control District; Jim Porter, San Mateo County Flood Control District.

2) APPROVAL OF MEETING MINUTES: March 25, 2010 Regular Meeting of the Board Minutes

Agenda item two, approval of March 25, 2010 meeting minutes put on hold until later in the meeting when the Board had a quorum of Board members present at the previous meeting.

Director Burt motioned to approve the minutes, Director Kwok seconded. Minutes approved 3-0.

3) APPROVAL OF AGENDA

Agenda approved 3-0.

4) CONSENT CALENDAR

None.

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5) PUBLIC COMMENT

Dennis Parker gave the Board a brief report on the memorial for Tommy Roberts. Mr. Parker stated that he shared with the Roberts family the visions that the JPA and other residents have in regards to honoring Mr. Roberts for his role as a supporter of the JPA and the Creek.

Chairperson Robinson thanked Mr. Parker for his update and comments and stated that Mr. Parker should meet with Mr. Materman and the JPA staff in regards to finding out more about honoring Mr. Roberts and his strong support of Creek issues.

6) REGULAR BUSINESS – EXECUTIVE DIRECTOR’S REPORT

Federal government update and WRDA request letter

Mr. Materman gave the Board an update on the Federal government funding status and the SFCJPA’s request for authorization in the Water Resources Development Act (WRDA).

Mr. Materman noted that the Senate Committee of Environmental Works put out a call to all senators to prepare their WRDA requests. Mr. Materman stated the SFCJPA will be submitting a request to Senators Feinstein and Boxer, and asked the Board to approve signing letters of request, allowing him to make edits prior to the submission. Mr. Materman also asked for the Cities of Menlo Park and East Palo Alto to submit letters in support of the SFCJPA request. Director Burt moved approval of the Board signing letters requesting authorization for the San Francisquito Creek Joint Powers Authority in WRDA and allowing Mr. Materman to make any reasonable edits prior to submission to the Senators. Director Romero seconded. Motion passed 4-0.

S.F. Bay to Highway 101 capital project update: modified design criteria

Mr. Murray gave the Board a brief update on the S.F. Bay to highway 101 capital project noting a modified design criteria that will meet higher standards recommended by FEMA to protect against creek levels resulting from a 100-year flow event in conjunction with a 100-year tide event, plus project sea level rise over the next 50 years.

Director Romero stated that this is good news for the City of East Palo Alto.

Director Burt agreed with Director Romero’s statement.

Director Kwok asked if we were overdesigning the project and, if so, what the increment is in additional cost. Mr. Murray responded saying that we will have a cost allocation that will come with the 30% design criteria next month. Director Kwok asked if this process has been applied to any other local projects. Mr. Murray said that to his knowledge our project is the first in the area.

Upstream of Highway 101 capital project update: initial field survey

Mr. Materman updated the Board on the capital project work upstream of Highway 101, and stated that the Santa Clara Valley Water District would conduct the survey of the easements, property lines, and floodwall heights in the area beginning in a couple weeks. Mr. Materman provided a map highlighting survey locations, and noted that a flyer would be sent to property owners soon. Mr. Materman acknowledged Kevin Sibley of the Santa Clara Valley Water District, and apologized for not recognizing him at the last meeting for all of his hard work on this project.

Director Kwok asked the SCVWD staff to explain if the work that would be done is in kind services and if the work would be done by Mr. Sibley himself or outside consultants.

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Chris Elias, SCVWD, responded saying that SCVWD surveyors will be conducting this survey.

Jerry Hearn, resident of Portola Valley, thanked the Board for their forthrightness in the previous agenda item. Mr. Hearn asked that the Board be encouraged to look at other possibilities regarding upstream retention as the PWA work was very brief and though the upstream retention idea is more expensive and takes longer, it may be the best overall option.

Mr. Materman noted the importance of conducting the survey work as the surveying is required before any bridge modifications can be made.

Options to finance future SFCJPA capital projects: presentation by SFCJPA legal counsel

Mr. Materman introduced Robin Harris and Trisha Ortiz of Richards, Watson and Gershon, the law firm that represents the SFCJPA.

Ms. Harris and Ms. Ortiz gave a presentation that provided an overview of two of the most common mechanisms used by JPAs to secure local project funding.

Mr. Materman commented that being out of the flood zone may be a big enough benefit to sell to voters for support of a SFCJPA financing district. Director Burt asked if there was ever a circumstance in which there is a lag period before the tax takes hold. Ms. Ortiz replied saying that it can be done, however there should not be too much of a time lapse.

Trish Mulvey, Palo Alto resident, stated that between now and November, she would like to understand the basis of how properties will be counted within this district and she would like to understand who's in and who's out relative to run-off. Mrs. Mulvey stated that we need to tie this all together so that the public can understand. Mrs. Mulvey thanked the Board and the legal representatives for the presentation and she stated that she looks forward to hearing more.

Jerry Hearn stated that there has been considerable work done in San Mateo County for parks and that perhaps Mr. Materman and the Board should speak to Lennie Roberts who may be able to provide some information of the process they went through.

7) BOARD AND ASSOCIATE MEMBER REPORTS - Agendized reports from Board and/or Associate Members requesting Board action.

None.

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

Director Kwok shared the result of the SCVWD redistricting vote that allowed adoption of a resolution that will have Palo Alto in a new district (District 7) with the cities of Mtn. View, Los Altos and Gilroy. Director Kwok stated that elections for the new district seat will be in November. Director Burt expressed his appreciation for the strong support and work that Director Kwok has provided as a member on the JPA Board and the SCVWD.

9) ADJOURNMENT:

Chairperson Robinson adjourned the meeting at 5:25 pm.

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

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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) Engaging a new SFCJPA Auditor

Kevin, W. Harper and Associates has been the SFCJPA Auditor since it conducted the Fiscal Year 2003-04 audit. The firm is now in the final year of a contract with the SFCJPA and is currently completing its audit of the FY 2008-09 financials. As discussed at a previous SFCJPA Board meeting, after six years with the same auditor, it is in the best interests of the Authority to transition to a new Auditor. SFCJPA staff has drafted the attached Request for Proposals for prospective auditors, which includes a description of services desired and a timeline for selection.

Proposed Board Action: Authorize the SFCJPA Executive Director to release the attached *Request for Proposals - Annual Audit of Agency Financial Operations*.


b) Public and Member Agency outreach in June and July

At its March meeting, the SFCJPA Board discussed project alternatives upstream of Highway 101. At today's Board meeting, the SFCJPA's design consultant, HDR Inc., will present their preliminary design of the S.F. Bay to Highway 101 project. In order to gather public and SFCJPA Member Agency input into these alternatives and this design, SFCJPA staff and consultants have scheduled a series of presentations to governing boards, commissions and neighborhood groups between today's Board meeting and the next Board meeting on July 22nd, at which time I will present a summary of the comments we received during this process. In addition to the meetings list below, there may be small neighborhood meetings close the areas affected by planned SFCJPA projects.

The tentative schedule is as follows:

June 1:	East Palo Alto City Council
June 14:	Palo Alto City Council
June 15:	Menlo Park City Council
June 16:	Crescent Park Neighborhood Association Annual Meeting
June 22:	Santa Clara Valley Water District Board
June 16- 30:	Multiple commissions of the cities of East Palo Alto (Public Works and Transportation, Planning), and Palo Alto (Planning, Architectural Review Board, Parks and Recreation)
Early July:	Key Stakeholders meeting
July 13:	San Mateo County Board of Supervisors
July:	Combined Neighborhood Associations meeting

Submitted by:


Len Materman
Executive Director



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Request for Proposals - Annual Audit of Agency Financial Operations

Introduction and General Information

The San Francisquito Creek Joint Powers Authority (SFCJPA) is soliciting Proposals from qualified consultants to conduct the annual audit of the SFCJPA's financial activities for fiscal year 2009-2010. The successful individual or firm's responsibilities will include the following:

- Audit of the financial statements for the year ending June 30, 2010, which may include the requirement of a Single Audit related to joint project with the Army Corps of Engineers;
- Preparation of the related management letter;
- Presentation of the audit and management letter to members of the Board of Directors;
- Limited consultation on financial and other matters related to the organization, as appropriate.

The JPA expects to make its selection from respondents by July 23, 2010.

Our Agency

The SFCJPA was established in 1999 to enable the agencies with jurisdiction over San Francisquito Creek to collectively manage and implement policies regarding flooding, creek maintenance, and environmental and recreational issues. The members of the SFCJPA Board are elected officials from the Cities of East Palo Alto, Menlo Park and Palo Alto, the Santa Clara Valley Water District and the San Mateo County Flood Control District. The operational budget of the SFCJPA for FY 2009-2010 is \$500,000, and the SFCJPA is engaged in a multi-year Study with the Corps of Engineers and its own capital projects. More information about the SFCJPA can be found at: www.sfcjpa.org.

Inquiries

All inquiries concerning this RFP should be made by telephone or e-mail by noon on June 18, 2010 to:

Miyko Harris-Parker, SFCJPA Finance & Office Manager

Telephone: 650-561-4580

E-mail: mhparker@sfcjpa.org

Proposal Preparation Cost

Costs for preparing and submitting a Proposal are entirely the responsibility of the individual or firm submitting it and shall not be chargeable to the SFCJPA. The SFCJPA reserves the right to reject any and all Proposals received.

Term of Agreement

The initial term of the proposed agreement shall be for a period beginning on or about August 1, 2010 and ending on or about March 1, 2011. The initial term may be amended or extended, including for the purpose of providing audits for additional years, by agreement in writing by both parties.

Selection Process

The SFCJPA intends to use the following process to select the successful candidate. The process may, however, be modified at any time by the SFCJPA.

May 28, 2010	Request for Proposals is issued
June 18, 2010	Last day to make inquiries
July 7, 2010	Proposals due no later than 5:00 P.M.
July 16, 2010	Notification to finalists; schedule interviews
July 20-23, 2010	Interviews and contract negotiations
July 26, 2010	Contract signed

Proposal Guidelines

1. The Proposal shall include the following:
2. Legal name of the firm and/or individual being proposed as the main contact
3. Address, telephone number, facsimile number and e-mail address
4. A description of the firm's or the individual's background and experience providing like services to similar governmental agencies. Be as specific and comprehensive as possible.
5. Name and resume of the individual or firm's main contributor to the SFCJPA's audit needs.
6. A list of at least three (3) references with contact information. References should have knowledge of the candidate's work on audits of local government agencies.
7. Any additional information that will enable the SFCJPA to fully understand the qualifications, experience and ability to execute the services required.
8. A summary of work to be performed and proposed costs to provide audit services to the SFCJPA, indicating staff hourly rates and other details.

Submittal of Proposals

The Proposal shall be submitted with a cover letter, which shall include the following:

- Confirmation of receipt and full understanding of the services requested.
- The name, title, address, telephone number, and e-mail address of the individual who should be contacted as part of the selection process.
- A signature by an individual who is authorized to bind the firm.

Interview Process

Interviews will be conducted by a panel of individuals consisting of SFCJPA and/or staff from its five member agencies. All candidates interviewed will be asked a set of standard questions developed by the interview panel prior to the interviews. Responses to the standard questions will be evaluated by the interview panel to reach consensus on the preferred candidate.

Please submit three (3) hard copies and one electronic copy on a CD of the Proposal to:

San Francisquito Creek Joint Powers Authority
Attn: Auditor Proposal
1231 Hoover Street
Menlo Park, CA 94025

PROPOSALS MUST BE RECEIVED BY 5:00 P.M. ON JULY 7, 2010.

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Agenda Item 7

Study Session

S.F. Bay to Highway 101 capital project preliminary design

SFCJPA staff and representatives from HDR, the engineering design consultant on the project, will present to the Board the preliminary design to achieve the multiple project objectives of increased flood protection, enhanced habitat and recreational opportunities, and minimized operational costs within and adjacent to the Creek between San Francisco Bay and Highway 101. The proposed design can be modified up until late July, when the CEQA process will begin in earnest.

As was discussed at the April 29 Board meeting, the flood protection objective is: three feet of freeboard during a 100-year fluvial event concurrent with a 100-year tide, including the most extreme predicted height of Sea Level Rise during the 50-year life of the project (26 inches). This conservative approach is designed to ensure that property owners are removed from the fluvial floodplain influenced by tides. While this project will accommodate a 100-year flow in conjunction with a 100-year tide and Sea Level Rise, and it will allow for flood protection work upstream of Highway 101, this project by itself does not address tidal flooding or flood waters that exit the channel farther upstream.

In addition to the updates provided at Board meeting by SFCJPA staff, Board members will see formal presentations on project direction and design according to following tentative schedule:

May 2010 (today):	Preliminary 30% design
August 2010:	30% design
October 2010:	60% design
January 2011:	90% design
February 2011:	100% design

Additional study sessions with the Board to discuss CEQA development will also be scheduled during this time period. Public workshops at each stage of design and environmental planning will further inform project development.

The intent of today's presentation is to give the Board and public a broad picture of the proposed construction elements to achieve the project's goals stated above. HDR will present their best estimate of likely alignments and dimensions of new levees and floodwalls, connections to existing facilities, existing public right of way and potential additional right of way needs, and modifications or relocation of existing utilities to construct the project.

This information is based on an understanding of project opportunities and constraints discovered during review of previous work on project concepts and additional geotechnical, utility, topographic, and right of way field surveys conducted since we began design and environmental planning for the project seven months ago. These opportunities and constraints will be described during the presentation. Early cost estimates for constructing the project elements have been developed based on these preliminary design recommendations, and these will be refined by HDR as design progresses.

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Study Session

For discussion purposes, the project elements being proposed are divided into the four segments and will include the following issues:

Highway 101 to International School segment

- Constructing outfall for new Caltrans 101 bridge cell
- Excavating existing fluvial and Bay mud deposits
- Maximizing the configuration of the channel within the top of bank
- Constructing floodwalls from the channel bottom to above existing top of bank

International School to Daphne Way access ramp segment

- Excavating existing fluvial and Bay mud deposits
- Moving back levees
- Constructing floodwalls at top of bank
- Transitioning from floodwall/levee to strictly levees

Daphne Way access to Friendship Bridge segment

- Further widening of existing levees
- Adding width and height to levees
- Modifying/relocating existing utilities
- Aligning with O'Conner Pump Station adjacent to Friendship Bridge

Friendship Bridge to SF Bay segment

- Extending/replacing the Friendship Bridge over wider span
- Connecting with the existing South levee along the Golf Course
- Lowering portions of the North levee within the Palo Alto Baylands

Today's presentation is expected to last about twenty minutes, with a question and comment period to follow. No action is requested of the Board.