

**San Francisquito Creek Joint Powers Authority**  
**January 22, 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

This being the Regular or annual meeting of the JPA Board, Board members need to be appointed by their peers to fill the following positions for the next 12 months: Chair, Vice Chair, and members of the Board's Finance and Personnel committees.

b) Finance Report through January 22, 2009: no action required

The attached Finance Report lists for each approved account the final Approved Budget (amended at the October 2008 Board meeting); the amount spent to date, and, barring unforeseen events, through the end of January; and the percentage spent to date (in comparison to the percentage of time passed – 58% – since the beginning of the fiscal year). During the Board meeting I will call your attention to the amounts spent to date that are noteworthy and thus in bold in the attachment, either because they will likely result in savings or deficit at the end of the fiscal year.

c) Federal Funding for JPA Projects

Over the past month, I have been extensively engaged in an effort to gather information about federal appropriations and the proposed federal economic stimulus bill. This has included conversations with Congressional staff and with lobbyists representing the Association of California Water Agencies, the cities of Palo Alto and East Palo Alto, and the Santa Clara Valley Water District. JPA Chair Ruben Abrica and Vice Chair Heyward Robinson just returned yesterday from Washington, DC where they participated in conversations on the same subject. With the Inauguration of President Obama this week, and a new Congress this month, much still remains up in the air on this topic. As of the writing of this Report, the following is known:

- 1) FY 2009 funding of \$700,000 in the House Appropriations Bill to advance our Feasibility Study with the Army Corps may be in final language worked out with the Senate in recent weeks (not even House members knew the answer for sure). It is likely that some amount for the Corps to advance the Study will emerge, but that it will be less than \$700,000. It is likely that President Obama will sign the bill by the end of February. Over the past two months, JPA member agencies have advanced the Corps \$294,000 for the hydraulic model and environmental work.
- 2) Following a meeting last Friday between Vice Chair Robinson and Senator Feinstein's appropriations staff, I will submit an Appropriations Request before February 5<sup>th</sup> to that office and to Congresswoman Eshoo's office for at least \$700,000 for FY 2010 funding for the Corps.
- 3) Congresswoman Eshoo and three other House members signed a letter to the U.S. Army corps of Engineers San Francisco District Commander listing three projects, including a project along San Francisquito Creek, as worthy for funding from the Economic Stimulus Bill. JPA Director Peter Drekmeier and I will meet with the Commander later this month to follow up on that letter and discuss options for the Corps to provide funding for our project from that bill (it is likely that funding will not be earmark driven, but decided through an agency process).

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d) RFP to Engage a Consultant to Provide Technical Analysis of Implementation Project Ideas

At the December 2008 Board Meeting, Kevin Murray and I recommended releasing a Request For Proposals (RFP) for consultant services to perform preliminary technical analysis on the alternatives for Implementation Projects for the reach of San Francisquito Creek between US 101 and San Francisco Bay. Staff also passed along to the Board the recommendation of a sub-committee of the Management Team that the JPA hire a consultant to explore possible areas for upstream detention through an examination of the topography of and development within the upper watershed. The JPA Board was supportive of our recommendation that a consultant be engaged to perform both the preliminary technical analysis on the downstream alternatives and the upstream detention investigations through one contract.

Attached is a draft RFP for the Board's consideration. The products resulting from this contract will be: 1) a consultant and staff recommendation on the preferred alternative or combination of alternatives to advance to project design to reduce flooding and restore habitat in the reach of San Francisquito Creek between US 101 and San Francisco Bay; and 2) topographic survey and calculations to determine viability of existing upland detention alternatives and to identify additional opportunities for upland detention. Funding for the consultant's work, up to \$100,000, would be paid by existing JPA operational funding within the "Project Consultants" account from this and the previous fiscal year.

Today, I ask for Board comments on the RFP, and Board concurrence with my releasing it on January 26, 2009.

Submitted by:



**Len Materman  
Executive Director**

**San Francisquito Creek Joint Powers Authority -- FY 2008-09 Operating Budget -- January 22, 2009 Update**

**REVENUES:**

Base Member Contributi (\$98,000 X 5)	\$490,000
Interest	\$2,500
<b>Total Revenues</b>	<b>\$492,500</b>

<b>EXPENSES</b>		Approved Budget	7/108 - 1/22/09 Actual	Difference between YTD and budgeted amount	% of annual budget spent in first seven months (58%) of FY
Acct.	Description				
<b>Personnel</b>					
901	Executive Director Salary	95,729.00	46,145.93	49,583.07	48%
902	E.D. Transportation Allowance	4,583.34	2,083.30	2,500.04	45%
903	Finance Administrator Salary	61,951.00	33,556.77	28,394.23	54%
904	Project Manager Salary	71,924.00	38,958.79	32,965.21	54%
905	Salaries Adjustments	-	-	-	0%
906	COLA	-	-	-	0%
907	Employee Benefits	89,757.00	49,457.37	40,299.63	55%
908	ACWA Membership	3,572.00	2,525.00	<b>1,047.00</b>	71%
909	Payroll Administration	2,130.00	970.50	1,159.50	46%
910	HR fees increases	1,400.00	3,612.56	<b>(2,212.56)</b>	258%
911	Employer Taxes	17,500.00	9,330.74	8,169.26	53%
<b>Subtotal Personnel</b>		<b>348,546.34</b>	<b>186,640.96</b>	<b>161,905.38</b>	<b>54%</b>
<b>Contract Services</b>					
912	Legal Counsel	23,000.00	22,632.50	<b>367.50</b>	98%
913	Financial Advisor	-	-	-	0%
914	Auditor	12,000.00	5,022.00	6,978.00	42%
915	Project Consultants	59,000.00	-	<b>59,000.00</b>	0%
<b>Subtotal Contract Services</b>		<b>94,000.00</b>	<b>27,654.50</b>	<b>66,345.50</b>	<b>29%</b>
<b>Administrative</b>					
916	Computers/Software/Support	3,850.00	2,370.48	<b>1,479.52</b>	62%
917	Meeting Supplies	500.00	190.46	309.54	38%
918	Travel/Training	5,000.00	482.52	<b>4,517.48</b>	10%
919	Office Supplies	1,500.00	1,654.57	<b>(154.57)</b>	110%
920	Telecommunication	2,100.00	1,640.12	459.88	78%
921	Postage	400.00	42.46	357.54	11%
922	Printing/Design	1,600.00	103.36	<b>1,496.64</b>	6%
923	Website	750.00	-	750.00	0%
924	Liability Insurance	5,781.00	5,635.83	<b>145.17</b>	97%
925	Office Lease	18,000.00	10,548.40	7,451.60	59%
926	General Contingency	5,000.00	956.29	4,043.71	19%
927	Utilities	1,275.00	489.45	785.55	38%
928	Office furniture/maintenance	1,500.00	649.32	850.68	43%
<b>Subtotal Administrative</b>		<b>47,256.00</b>	<b>24,763.26</b>	<b>22,492.74</b>	<b>52%</b>
<b>Total Expenses</b>		<b>489,802.34</b>	<b>239,058.72</b>	<b>250,743.62</b>	<b>49%</b>



SAN FRANCISQUITO CREEK

**Joint Powers Authority**

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**DRAFT – NOT FOR RELEASE**  
**FLOOD REDUCTION ALTERNATIVES ANALYSIS**  
**REQUEST FOR PROPOSALS**

The San Francisquito Creek Joint Powers Authority (JPA) is a government agency serving residents in a 45 square mile watershed that includes the cities of East Palo Alto, Menlo Park, Palo Alto, and portions of the counties of San Mateo and Santa Clara. The JPA is soliciting proposals from qualified firms to conduct preliminary technical analysis on project alternatives to reduce flood damage, improve the environment, and promote recreation along San Francisquito Creek in the stream reach between U.S. 101 and San Francisco Bay, and to investigate opportunities for upland detention of floodwaters during peak flow events. The overall solution to the flooding challenges faced by local residents will likely include a combination of these and other remedies.

**PROPOSALS MUST BE SUBMITTED BY:**

**February 10, 2009 at 5:00 pm local time to:**

Kevin Murray, Project Manager  
San Francisquito Creek Joint Powers Authority  
1231 Hoover Street  
Menlo Park, CA 94025  
e-mail: [kmurray@sfcjpa.org](mailto:kmurray@sfcjpa.org)  
phone: 650-561-4580

Individuals or firms preparing a proposal for this contract are encouraged to submit inquiries by January 30, 2009 by e-mail to the JPA Project Manager if questions arise during proposal development. Written responses to all inquiries received will be posted online on February 3<sup>rd</sup>, one week prior to the proposal due date. A detailed Scope of Work will be developed for the contract and services agreement, and is likely to be influenced by the recommendations of the Consultant in the proposal and at a pre-contract kickoff meeting.

Please include six hard copies and one electronic copy on a CD. Proposals are to be limited to 15 pages, including any supporting materials.

**Introduction and Background**

The San Francisquito Creek Watershed encompasses a 45 square mile basin, extending from Skyline Boulevard at the top of the Santa Cruz Mountains to San Francisco Bay. The watershed includes public lands and numerous private landowners in the cities of East Palo Alto, Menlo Park, Palo Alto, Portola Valley and Woodside, unincorporated land areas of San Mateo and Santa Clara counties, and Stanford University.

The creek represents the boundary between the two counties in the lower watershed. The last relatively unaltered urban creek system in the South Bay, San Francisquito Creek begins at the confluence of Corte Madera Creek and Bear Creek, just below Searsville Dam in Stanford



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University's Jasper Ridge Biological Preserve. The mouth of the creek opens to the San Francisco Bay adjacent to the Palo Alto Airport and the Baylands Preserve. The system contains over 71 miles of creek bed; the main stem is 14 miles long.

The lower reach of the creek runs through urbanized areas. In 1998 the creek overbanked, causing \$28 million in documented damage to homes and businesses in Palo Alto, East Palo Alto, and Menlo Park. Other significant flooding and high-flow events have occurred in 1955, 1958, 1982, 2002 and 2005.

In response to the 1998 event, local jurisdictions formed the San Francisquito Creek Joint Powers Authority (JPA) in May of 1999 as a new government agency "empowered to protect and maintain San Francisquito Creek and its environs." Founding members of the JPA are 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. Stanford University is an Associate (non-voting) Member and participates in JPA project planning through its Facilities Department.

The JPA was created to support the member agencies in providing services to the citizens of the watershed and coordinate activities that improve their quality of life around the watershed they share. The founding JPA Agreement identifies several purposes for the agency, including:

- 1) "...to join together for the primary purpose of managing the joint contribution of services and providing policy direction on issues of mutual concern relating to the creek..."
- 2) to plan flood control measures and recommend funding and alternatives for flood control
- 3) to facilitate and perform bank stabilization, channel clearing, and other creek maintenance
- 4) to preserve and enhance environmental values and in-stream uses of the creek
- 5) to coordinate emergency mitigation and response activities

### **Project History**

The JPA began seeking, in 2002, federal authorization of a U.S. Army Corps of Engineers (Corps) General Investigation (GI) "New Start" to develop a comprehensive plan for providing flood management, ecosystem enhancements, and recreational opportunities along San Francisquito Creek. At the same time, the JPA initiated an effort to conduct a smaller, localized flood protection project; the initial planning for this project was conducted by the JPA's Project Management Team, which catalogued previously proposed flood protection project concepts, and developed conceptual reports on the level of protection and estimated costs of each. The final report on the project alternatives was published in 2003 and is available in hard copy upon request. A power point presentation given to the JPA Board on the alternatives is available at: <http://www.cityofpaloalto.org/civica/filebank/blobdload.asp?BlobID=2676>.

In 2004, the Corps received federal authorization to conduct, in partnership with the JPA, a watershed-wide Flood Damage Reduction and Ecosystem Restoration Project (FDRER) General Investigation. At that time, the JPA Board of Directors elected to put the localized project on hold to concentrate staff time and resources on working with the Corps on a project reconnaissance study that would provide the justification for future federal funding of the GI. The Corps conducted a 12-month Reconnaissance Investigation, and in 2005 issued a 905(b) report confirming federal interest in conducting the Feasibility Study for the FDRER. The 905(b) Final Report is available at: <http://www.cityofpaloalto.org/civica/filebank/blobdload.asp?BlobID=2682>.



Federal funding for the FDRER is issued on an annual basis through insertion of the item in either a House or Senate appropriations bill and passage of the federal budget. In Federal Fiscal Years (FFY) 2006 and 2007, funding from congressional appropriations was matched by local funding to conduct the first two years of the projected five year Feasibility Study. In FFY 2008 and 2009, no new federal money was appropriated to continue with the Feasibility Study, but recently local funds have been transferred to the Army Corps to advance the study.

In 2008, the JPA also began to reexamine the possibility of implementing local capital projects by applying through Section 104 of the Water Resources Development Act for future federal credit against the reduction in costs to the overall project (without damaging the GI's cost-benefit ratio). The capital project alternatives contemplated for implementation through the Section 104 program have been selected to reduce flooding, protect the environment, and provide recreational opportunities without adversely affecting communities in other parts of the watershed and within certain budget constraints.

### **Current Project Phase – Preliminary Technical Analysis**

In early 2008, the JPA Management Team identified seven project alternatives to examine further. Recently the JPA Executive Director narrowed that list to two target areas for preliminary technical analysis. In this phase, with the support of JPA staff and the Management Team, the Consultant will provide the JPA Executive Director and Board with recommendations for project selection and next steps for progressing to design, environmental analysis, and construction. The Consultant will be responsible for two tasks:

**Task 1:** For Target Area 1 between U.S. 101 and San Francisco Bay, the Management Team has compared the merits of numerous preliminary alternatives, and has narrowed the field to 3 candidate alternatives. In this reach of San Francisquito Creek, the Consultant will assess the effectiveness, feasibility, expected costs, complexity, flood control benefits, and potential environmental impacts of these alternatives for decreasing the likelihood of and damages resulting from flooding. Candidate alternatives include:

- widening the channel by moving one or both of the existing levees farther from the creek centerline;
- creating a secondary watercourse through the Palo Alto Municipal Golf Course; and
- removing the northern levee separating San Francisquito Creek and the Palo Alto Baylands Preserve between the Friendship Pedestrian Bridge and San Francisco Bay.

The Consultant will conduct technical analysis on each of these alternatives starting with the conceptual designs prepared by the Management Team. The Consultant will be encouraged to recommend modifications to the conceptual designs or introduce new concepts or combinations of alternatives to develop the most effective and feasible approach to providing flood protection, habitat restoration and recreation.

A Hydrology Report for San Francisquito Creek prepared in 2007 contains the most up-to-date flow estimates for various storm events in this stream reach. This Report is available for review at: <http://www.cityofpaloalto.org/knowzone/news/details.asp?NewsID=1035&TargetID=215>.



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Additionally, an updated Hydraulic Model is currently being built and calibrated using cross-sectional data collected in 2007-08 and will be available for the Consultant's use during the Preliminary Technical Analysis Phase.

Deliverables for Task 1 will be:

- Updated conceptual drawings of alternatives or combinations of alternatives
- Estimates of construction costs for each alternative or combination as designed to safely convey two (2) hypothetical flow events.
- Statement on environmental impacts or potential environmental benefits of each alternative.
- Statement on potential recreation opportunities within the design of each alternative.

**Task 2:** The Consultant will provide technical analysis of opportunities for upstream detention by investigating the topography and development patterns of the upper watershed to determine potential sites for floodwater detention and calculating the capacity and level of flood protection provided by those sites.

When searching for potential detention sites, the Consultant should not consider issues of jurisdictional boundaries, land ownership, sensitive habitat, or other political or social issues associated with the construction of a floodwater detention facility in the upper watershed.

Deliverables for Task 2 will be:

- Location of Potential Upland Detention Sites
- Potential dimensions and storage capacity, with calculated reduction in downstream flows during a 1% event
- Conceptual Layout Drawings
- Identification of Geotechnical Investigations Needed
- Potential Environmental Costs and Benefits
- Preliminary Cost Analysis
- Statement on Likely Maintenance Requirements

### **Project Administration:**

**Meetings** – Consultant should anticipate a meeting with the Management Team and up to three additional meetings during the project period. In addition, the Consultant will present their findings to the JPA Executive Director, and then to the JPA Board of Directors on May 28, 2009.

**Reports** – Consultant will prepare a draft written report that summarizes findings for final project selection. Following review of the draft report by the JPA Management Team, a final report shall be provided, incorporating all review comments received.

### **Project Schedule:**

This project will begin with contract execution on March 3, 2009 and be completed by June 1, 2009.

### **Project Budget:**

The JPA is anticipating costs for this analysis to be between \$50,000 and \$100,000. Applicants should develop and describe their project approach(es) based on this cost range.



## **Proposal Requirements**

Each proposal should contain the following:

- a cover letter with contact information;
- title page and table of contents;
- statement of approach to the project, and any suggested modifications to the Project Tasks;
- project schedule;
- itemized fee schedule;
- list of team members that will be assigned to the project, their experience with previously completed projects of similar scope, and two references regarding those experiences.

JPA staff and Management Team members will evaluate the proposals provided in response to this RFP based on the following criteria:

- quality and completeness of proposal;
- quality, performance and effectiveness of the solution, goods and/or services to be provided by the proposer;
- proposer's experience, including the experience of staff to be assigned to the project, the engagements of similar scope and complexity;
- project cost to the JPA;
- proposer's financial stability;
- proposer's ability to perform the work within the time specified;
- proposer's ability to provide future services relative to the project; and
- proposer's compliance with applicable laws, regulations, policies, guidelines and orders governing prior or existing contracts performed by the contractor.

The JPA's Standard Agreement template is available for review at [www.sfcjpa.org](http://www.sfcjpa.org). Potential applicants should consider their ability to comply with the provisions stipulated within the Standard Agreement prior to submitting a proposal.

## **Selection Process Timeline**

RFP Issuance	January 26, 2009
<b>Last day to submit inquiries</b>	<b>January 30</b>
Responses to inquiries posted	February 3
<b>Proposals Due</b>	<b>February 10, 2009</b>
Proposal Reviews	February 11 - 12
Interview Scheduling	February 13
<b>Interviews</b>	<b>February 17</b>
Contract Negotiation	February 19-20
<b>Consultant Selection</b>	<b>February 26, 2009</b>
Contract Execution	March 3, 2009