

San Francisquito Creek Joint Powers Authority

March 26, 2009 Board Meeting

Agenda Item 2

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Vice-Chairperson Kwok called the meeting to order at 4:05 p.m. at the City of East Palo Alto Council Chambers, 2415 University Ave, East Palo Alto CA.

DRAFT

1) ROLL CALL

Members Present: Chairperson Robinson, City of Menlo Park (not present at role Call)
Vice-Chairperson Kwok, Santa Clara Valley Water District
Director Abrica City of East Palo Alto
Director Drekmeier, City of Palo Alto

Members Absent: Director Gordon, San Mateo County Flood Control

Alternates Present: Director Burt, City of Palo Alto

Associate Members: Tom Zigterman, Stanford Facilities

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

Legal Counsel Present: Greg Stepanich

Others Present: Joe Teresi, City of Palo Alto; Trish Mulvey, Palo Alto Resident; Art Kraemer, Palo Alto resident; Jerry Hearn, Acterra

2) PUBLIC COMMENT ON CLOSED SESSION ITEM

None

3) APPROVAL OF CLOSED SESSION AGENDA

Agenda approved 3-0.

4) CLOSED SESSION/ REPORT OUT FROM CLOSED SESSION

Special meeting adjourned to closed session at 4:06 pm. Special meeting re-adjourned at 4:15 pm. Vice-Chairperson Kwok stated that the Board unanimously agreed that Executive Director Len Materman deserves and will receive a \$5,000 merit increase as a result of the Board's six month evaluation of his job performance. The members of the Board commented on Mr. Materman's great work in the past six months. Greg Stepanich, Legal Counsel, for the JPA stated that the merit increase will be agendized for the next Board meeting.

5) APPROVAL OF SPECIAL MEETING MINUTES January 22, 2009

Minutes approved 3-0.

6) APPROVAL OF AGENDA

Agenda approved 3-0.

7) CONSENT CALENDAR-

None

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8) PUBLIC COMMENT-

None

9) REGULAR BUSINESS – EXECUTIVE DIRECTOR REPORT

East Palo Alto Bay access Master Plan update

Mr. Materman introduced Mr. Sean Charpentier from the City of East Palo Alto Redevelopment office. Mr. Charpentier gave a brief presentation of the East Palo Alto Bay access Master plan

Director Drekmeier recommended that Mr. Charpentier check out a presentation on sea level rise presented by Will Travis, Director of BCDC. Vice-Chairperson Kwok asked if the East Palo Alto Bay Access plan includes the option for connectivity to other bay area trails. Mr. Charpentier replied saying that the City of East Palo Alto is open to discussions regarding the connectivity of other trails with what the City has in its Bay Master Plan.

Art Kraemer, Palo Alto Resident, suggested the City of East Palo Alto bring up the banks on the low spot on the creek when the work begins on the trails as doing this will help with the overflow from that area. Mr. Charpentier replied by saying that the City does not have any design plans yet but that he hopes Mr. Kraemer's suggestion will be addressed when the plans are developed. There will have to be some recognition of what the trail improvements and the Creek flood control projects will be.

Mr. Materman said that over the next few months the JPA will be looking at the O'Connor section near the Creek and that it would be really helpful if the City of East Palo Alto's Bay Access group could provide as much detail as possible to the JPA. Mr. Charpentier replied by saying its great that our projects are dovetailing and that the Bay Access group is looking toward Prop 84 funding for the O'Connor corridor.

Consulting contract with Phillip Williams & Associates for the San Francisquito Creek Flood Reduction Alternatives Analysis

Mr. Materman gave an update on the results of the interviews for the hiring of the project consultant for the San Francisquito Creek Flood Reduction Alternatives Analysis. Mr. Materman presented Resolution No. 09-02-26 along with the draft contract with Phillip Williams & Associates.

Director Abrica questioned how extensive the upstream retention would be looked at. Director Abrica continued to say that it seem like the language regarding upstream projects is to explore or maybe take a look at vs. the downstream purpose seems to be more concise and determined. Director Abrica stated that we don't want to forget the upstream.

Mr. Materman replied by saying that the crux of the upstream retention is everything in the hills and that the JPA is not assuming anything going into this project. Mr. Materman continued by saying that the consultant was asked to look at the entirety of landscape for the entire watershed system and that a large amount of the budget is being used for the upstream alternatives. Mr. Materman stated that he believed the breakdown is in the range of a 60/40 split with 60% of the budget focusing on downstream and 40% focusing on upstream.

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Vice-Chairperson Kwok questioned if there would be some task that would be completed/worked on at the same time. Mr. Materman replied saying that yes there is a strong possibility work for the upstream and downstream to be done at the same time. Vice-Chairperson Kwok stated that the budget is tight with no contingency. Materman replied by saying that the consultant contract is written up as "not to exceed" and that he is hopeful that he will not have to come back to the Board at a later date for more funds.

Mr. Kraemer told the Board that the City of Palo Alto is in the process of negotiating with Stanford on the hospital and shopping center plans. Mr. Kraemer said that this could be timely for mitigation scenarios. Director Drekmeier replied by saying that it may not be mitigation but that it could be community benefit that is negotiated with Stanford.

Chairperson Robison arrived at 4:42 pm and apologized for being late.

Jerry Hearn applauded the selection of Phillip Williams as the project consultant for the early implementation project. Mr. Hearn thanked Director Abrica for mentioning upstream retention and he encouraged to the Board to have communication with agencies like Save the Bay so that they are aware of what the JPA plans to accomplish within the Watershed. Mr. Hearn noted that the more agencies that know what's going on the better the outcome will be for support of JPA projects.

Mr. Materman informed the Board that he had a conversation with Director Gordon who looked through the contract and asked to relay his support for the resolution and contract. Vice-Chairperson Kwok stated that he was pleased with the choice of Phillip Williams & Associates as consultants for this phase of the project. Mr. Stepanich clarified that the Board would be adopting the resolution for the contract. Resolution No. 09-02-26 approved 4-0.

Cost of Living Adjustment increase for JPA staff

Mr. Materman requested that the Board take action to transfer \$1,730 from general contingency to account code 906 cost of living adjustments within FY 0809 budget for JPA staff members Kevin Murray and Miyko Harris-Parker. Director Drekmeier thanked Mr. Materman for bringing the item to the Board. Vice-Chairperson Kwok thanked Mr. Murray and Ms. Harris-Parker for their hard work. Motion to approve the transfer of \$1,730 for general contingency to the cost of living account filled approved 4-0.

Federal funding and outreach in the context of overall JPA communication

Mr. Materman gave a brief update on the Federal funding outreach for the JPA. Mr. Materman shared with the Board that the House of Representatives passed the bill which included \$335,000 for the JPA/Corp project. Mr. Materman noted that 2007 was the last time the JPA received Federal funding for the project. Mr. Materman continued with the update informing the Board that the JPA has advanced almost \$300,000 for specific projects to the Corp and that the advanced funds will be credited against the \$335,000 from the Federal government. Mr. Materman reminded the Board that the Federal requests for FY 2010 are due in by Friday. Mr. Materman also informed the Board that both Congresswoman Eshoo and Senator Feinstein sent support letters in favor of the JPA project receiving funds from the Stimulus package.

Director Abrica commented on the fact that the JPA through its strategic planning sessions discussed in detail a communication plan which included outreach to elected officials as well

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as public outreach. Director Abrica stated that the time is now to put the communication plan together; however he is happy to see that outreach is occurring without a plan intact. Jerry Hearn responded to the outreach discussion saying that Kevin Murray, JPA Project Manager, made a presentation to the Watershed Forum last week that was great. Mr. Hearn said that if we are seriously looking at doing a project upstream we need to determine how we are going to engage people in the entire watershed. Mr. Hearn agreed with Director Abrica that the communication plan needs to be created now and stated that the Watershed Forum would be happy to volunteer to help with the outreach. Mr. Hearn also volunteered his help with the communication plan.

Mr. Materman informed the Board of the communications meeting March 12, at 7:00 pm at Palo Alto City Council Chambers. Mr. Materman stated that the meeting was being presented by community leaders from the Cities of Palo Alto, Menlo Park and East Palo Alto.

Director Burt asked if the three Mayors of the cities would be attending the meeting. Mr. Materman replied that the three Mayors would be attending.

Highway 101 at San Francisquito Creek

Mr. Materman noted that there had been several conversations with Senator Simitian's office regarding this issue and he introduced Brock Winsted, staff member Senator Simitian's office to give a brief update on the issue. Mr. Winsted stated that both Senator Simitian's and Senator Yee's offices have been in contact with Cal-Trans to express their interests for this project. Mr. Winsted said that he was happy to hear about the Federal funding status for the JPA.

10) INORMATIONAL ITEMS –

February 15, 2009 storm report

Mr. Murray presented a brief report on the February 15, 2009 storm event. Mr. Murray thanked Joe Teresi, Palo Alto Public Works, for extracting data for the presentation. Mr. Murray noted that that there was no time during this storm event when there was any danger of flooding. Chairperson Robinson commented that he is always concerned with how fast the peak hits at Pope Chaucer. Art Kramer stated that the peak height at Chaucer and at 101 is about 3hrs after peak rainfall.

Director Abrica asked if there was a need to do a study that would coordinate information from all the experts regarding the Watershed and all the rain gages of the watershed. Chairperson Robinson stated that Mr. Murray, with the help of staff from each member agency, has been doing a great job analyzing all the data that we currently have available to us.

Emergency Preparedness and Communication Meeting follow-up

Mr. Murray stated that he had met with members of the Menlo Park Fire Protection District along with members of the San Mateo County Sheriffs office to discuss ideas for an early warning system. Mr. Murray said that there is a need for an additional rain gauge within the Watershed that gives real time data and that so far the discussions have revealed that Huddart Park in San Mateo County would be a good location for the new system. Mr. Murray continued to says that he has met with a company that specializes in systems that project real time data that can provide more complex and comprehensive readings, and he believes that we would be able to have a system designed that will fit the needs of the

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Watershed. Mr. Materman stated that the strategy for the short-term less of expensive approach is that it does not create redundancy for the bigger project. Mr. Materman told the Board that the Menlo Park Fire Protection District will also be providing funds for this early warning system and that with their funding issues they want to make sure the funds are used as soon as possible.

Trish Mulvey, Palo Alto resident, stated that she lives in the Duvencek St. Francis neighborhood and she would like to know some ways to help the public in preparing for rainy weather before it starts. Mrs. Mulvey asked if it would be possible to have the emergency services agencies work with the JPA on how this issue. Chairperson Robinson commented that the information is on every city and county website and he suggested maybe each city and county agency should probably highlight the area with a flashing button to get the residents attention.

Emergency Preparedness and Communication Meeting follow-up

Mr. Materman informed the Board that the Emergency Preparedness and Communication follow up meetings will be held on March 18 and March, 19 at the JPA offices.

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

BOARD AND ASSOCIATE MEMBER MATTERS - *Non-agendized comments, requests, or announcements by Board and/or Associate members, no action may be taken.* Mrs. Mulvey stated that Director Burt asked her to relay the message that the International School may be a better meeting spot for the March 12 community meeting. Mr. Materman replied that the March 12 meeting is not the last community meeting to be had and that he will keep in mind the International School as a possible location.

12) ADJOURNMENT:

Chairperson Abrica adjourned the meeting at 5:56 pm.
Minutes prepared by: Miyko Ann Harris-Parker
Clerk of the Board