

**San Francisquito Creek Joint Powers Authority**

**June 25, 2009 Board Meeting**

**Agenda Item 2**

**May 28, 2009 Board Meeting Minutes**

Chairperson Kwok called the meeting to order at 4:09 p.m. at the City of East Palo Alto Council Chambers, 2415 University Avenue, East Palo Alto CA

**DRAFT**

**1) ROLL CALL**

Members Present: Chairperson Abrica, City of East Palo Alto  
Director Robinson, City of Menlo Park  
(Not present at roll call – arrived at 4:14 pm)  
Director Drekmeier, City of Palo Alto  
(Not present at role call – arrived at 4:11 pm)  
Director Kwok, Santa Clara Valley Water District  
Director Gordon San Mateo County Flood Control

Alternates Present: None

Associate Members: Stanford

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

Legal Counsel Present: Greg Stepanicich

Others Present: Joe Teresi, City of Palo Alto; Kent Steffens, City of Menlo Park; Trish Mulvey, Palo Alto resident; Anne Stillman, San Mateo County Flood Control District; Mary Schafer, Palo Alto resident; Art Kraemer, Palo Alto resident; Bill Springer, Santa Clara Valley Water District; Kristen O’Kane, Santa Clara Valley Water District; Jason Christie, Santa Clara Valley Water District; Daren Anderson, City of Palo Alto; Tom Rindfleisch, Palo Alto Resident; Anthony Docto, City of East Palo Alto; Jean McCown, Stanford University; Joe Vaclaire, City of Palo Alto; Xennia, Hammner, Palo Alto Resident; Eunice Stutton, East Palo Alto Resident

**2) APPROVAL OF SPECIAL MEETING MINUTES APRIL 24, 2008**

Minutes approved 3-0.

**3) APPROVAL OF AGENDA**

Agenda approved 3-0.

**4) CONSENT CALENDAR**

None

**5) PUBLIC COMMENT**

None.

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**6) REGULAR BUSINESS – EXECUTIVE DIRECTOR’S REPORT**

**Amendment 1 to the JPA Six Party Agreement**

Mr. Materman presented Amendment 1 to the JPA Six Party Agreement to the Board for approval. Mr. Materman reminded the Board that the Amendment was being done to expedite and reduce the cost of the Feasibility Study. Director Gordon moved to approve, Director Abrica second, Amendment 1 to the JPA Six Party approved 4-0.

**Government funding, and JPA Board letters to Senator Feinstein and Reps. Eshoo & Honda**

Mr. Materman gave the Board a brief update on the government funding opportunities for various JPA projects. Mr. Materman then requested that the Board authorize the Chair to sign thank you letters on behalf of the JPA to send to Senator Feinstein, Congresswoman Eshoo and Congressman Honda. Chairperson Robinson asked if there was any information regarding the JPA request for Stimulus Funds. Mr. Materman stated that he and Director Drekmeier met with the Corps a few months ago to discuss the status of Stimulus Funding. Mr. Materman continued saying that the Corp officials stated that the Corp focus for Stimulus Funding was on shovel ready projects and that JPA does not have a shovel ready project at this time. Mr. Materman stated that he believes that the definition of shovel ready by most standards as well as, the standards of the bill passed by Congress, is twenty-four months from the date the bill was signed. Mr. Materman said that he is hopeful that the JPA will be complete with the design process of a capital project within that timeframe then go back to the Corp in about a year and discuss Stimulus funding again. Director Drekmeier motioned for approval, Director Kwok seconded. Motion to authorize Chair of the Board to sign thank you letters for Senator Feinstein and Reps Eshoo & Honda approved 5-0.

**7) INFORMATIONAL ITEMS – DISCUSSION ONLY**

**Highway 101 Bridge Project update**

Mr. Materman gave an update on the Highway 101 bridge project. Mr. Materman stated that since the last JPA Board meeting, Caltrans sent an e-mail outlining their understanding of the roles and responsibilities related to this project, and that new information has come to light that suggests that West Bayshore is a state owned road. Mr. Materman continued by saying that Caltrans has no interest in doing a full EIR for their bridge replacement project at Highway 101 and that the EIR that the JPA will do can include the connection between the new span and the creek channel.

Director Kwok asked if there has been discussion of land acquisition regarding this project. Mr. Materman replied saying that contact has been made with the SCVWD regarding property easements, however there has not been a definitive conversation regarding the topic. Mr. Materman noted that the information is being researched.

Director Drekmeier asked how many CFS the fourth bore that Caltrans is planning to add will convey. Mr. Materman replied saying that the answer is not an easy one but that it will be visited in the PWA presentation.

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Director Abrica stated that the increase to six thousand CFS is not an automatic increase as Caltrans does not want to take on liability that might occur if the JPA does not first do a project down stream. Mr. Materman stated that there cannot be an increase in CFS until there is additional capacity downstream, however as Director Drekmeier noted, through the process of redesigning the existing structure it can be increased.

Presentation by Philip Williams & Associates: San Francisquito Creek Flood Reduction Alternatives Analysis

Mr. Materman introduce Christie Beeman and Jeff Haltiner of Philip Williams & Associates (PWA) and provided a brief outline of the specific tasks that PWA were asked to complete regarding the San Francisquito Creek Flood Reduction Alternatives Analysis. Mr. Materman completed the introduction by providing the Board with a timeline of the next steps process. Ms. Beeman and Mr. Haltiner presented to the Board the San Francisquito Creek Flood Reduction Alternatives Analysis.

Chairperson Robinson opened the floor for Board questions.

Director Drekmeier asked in regards to the downstream option, what happens when there is high tide, sea level rise and a 100 year event? Mr. Haltiner responded saying that sea level rise is an issue everyone around the bay will be facing and the point of this project would be number one to make it compatible to the Shoreline project that is being designed more broadly around the whole south part of the bay. Mr. Haltiner continued to say that the downstream projects alternatives will work very nicely with the Shoreline project. Mr. Haltiner stated that floodwalls and levees could be designed to accommodate later increasing the height of the levees or floodwalls in future construction in the event of sea level rise. Director Drekmeier asked how floodwalls would impact life in the creek. Ms. Beeman responded saying that the floodwalls would not be continuous and that they would be placed in the most densely developed areas thereby causing minor impediments. Director Drekmeier asked if excavating earth out of the Creek would be a major undertaking every year with the alternatives being presented. Ms. Beeman responded saying that the amount of sediment currently coming down the channel would not change.

Director Abrica asked if the tide is allowed to flow in alternative 2 what is the affect of the flow in that area. Mr. Materman added a follow-up question asking if there is anything about opening up the faber tract that would put the homes behind the levee in more jeopardy. Ms. Beeman responded saying that the flow should not be any different than it is now. Director Abrica asked how tidal flooding would be connected in these options. Mr. Materman responded saying that the Feasibility study with the Corp will determine the connection and broader aspects of tidal flooding. Mr. Materman reminded the Board that the PWA contract did not include tasks to thoroughly study tidal flooding.

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Director Kwok asked if PWA's report provided consideration for general impacts with each alternative. Ms. Beeman responded saying that the scope of PWA's report was hydraulic and that PWA was trying to avoid encroaching into neighboring infrastructure. Director Kwok asked for clarification that a decision on determining which project to proceed with could not happen until the EIR is done. Ms. Beeman responded saying yes that is correct. Director Kwok asked what the next step was. Mr. Materman responded saying that over the next two months the JPA will be doing as much public outreach as possible as we want to get to an alternative that the community is fully behind.

Chairperson Robinson asked which point in the downstream portion is the most challenging. Ms. Beeman responded saying that the stretch from 101 down to the International school is the most challenging.

Director Gordon left at 5:26 pm.

Chairperson Robinson opened the floor for public comments.

Eunice Stutton, East Palo Alto resident, stated that she lives in the area described as the challenging portion of the Creek downstream. Ms. Stutton encouraged the Board to take a wider perspective while looking at a fix for the Creek because even if everything is done right there is still a thirty percent chance of getting it wrong. Ms. Stutton said that fixing to a 100 year event does not take care of all the contingencies as we could have several weeks of rain that could saturate the soil which would eliminate the amount of rain that could be drained into the soil when high tide comes. Ms. Stutton continued saying she is very grateful for all the work that has been done and she hopes the Board considers thinking about how we cope with several days of water. Chairperson Robinson thanked Ms. Stutton for her comments and encouraged her to stay involved. Director Drekmeier encouraged Ms. Stutton to sign up for the JPA e-mail list.

Chairperson Robinson asked when water would be diverted during a storm with the upper watershed options. Mr. Haltiner responded saying that the diversion would occur at just the peak of the storm, filling up the basin and then draining it as soon as the water in the channel has subsided enough. Chairperson Robinson stated that we need to consider that there is more than just water coming down; there will be quite a bit more debris left after draining the retention basin. Mr. Haltiner replied saying yes that there would be debris left in the basin but not as much as you would think. Mr. Haltiner continued to say that there would be a maintenance program that would be instituted if an upstream retention basin were built. Mr. Haltiner stated that generally speaking you would want the basin to be multipurpose as you would only be using the basin about once every ten years.

Mr. Materman asked if two projects could be combined to get to twenty percent reduction. Ms. Beeman responded saying that PWA did not look at possibility however the results of their report appear to suggest that it is possible but that you need to keep in mind that at Middlefield there is a twenty-seven percent reduction needed for a 100 year event. Mr. Materman asked what the options are for moving

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earth from an excavation process to a building process to reduce construction cost while recycling some of the earth. Ms. Beeman responded saying that a closer look at where and how to divert water needs to be looked at further as it is possible but there are many factors that need to be considered regarding the process.

Art Kramer, Palo Alto resident, asked for clarification that if all three of the upper watershed alternative sites were built and 100 year flood event occurred there will still be close to the same amount of water flowing down the channel as there was in the 1998 event. Ms. Beeman replied saying yes. Chairperson Robinson- an upstream only project can be a big help but not the only solution.

Xennia Hammner, Palo Alto resident, commented that if the upper watershed alternatives were combined with the downstream alternatives, downstream from Middlefield, would the lower watershed improvements lower the water level at Middlefield. Ms. Beeman responded saying that PWA did not look at specific hydraulics within the channel upstream of 101, however in theory you could say that if you lower the water surface downstream of 101 the benefit might extend upstream but we have no way of saying that it will extend beyond the bridge. Mr. Haltiner stated that he doubted the benefit would extend all the way to Middlefield Road there would have to be additional projects done in that reach. Mr. Materman said that the conventional wisdom is that the benefit would probably extend up to the Newell street Bridge. Mrs. Hammer stated that a large part of the alternatives is excavating and removing dirt if we go back to Searsville sediment would have to be removed. How much more expensive is removing sediment in comparison to removing dirt. Mr. Haltiner replied saying that sediment and dirt are pretty much one in the same when it comes to excavating. Mrs. Beeman replied saying that Searsville would be more expensive as it would require dredging before excavation can begin.

Getting to Design and Environmental Planning of an Upstream and or downstream project: A plan for gathering community input and a schedule for Board

Mr. Materman presented a Capital Project outreach schedule to the Board.

Jean McCown, Stanford, requested that a meeting be called as soon as possible with JPA staff and staff from Stanford to have a more in depth conversation regarding the results of the San Francisquito Creek Flood Reduction alternatives analysis.

- 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.* None

**10) ADJOURNMENT:**

Chairperson Robinson adjourned the meeting at 6:10 pm.

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