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>> Mayor Reed: Good afternoon. I'd like to call this meeting to order. This is a joint study session on long term planning for the City of San José and the Santa Clara Valley Water District. Welcome everybody to San José. I think we're going to start with the roll call and make sure we have a quorum. City Clerk and District Clerk will call the roll. [ Roll call ]

>> You have a quorum, Mr. Mayor.

>> Mayor Reed: Thank you. [ Roll call ]

>> We have a quorum.

>> Mayor Reed: Thank you. We all have quorums, so we can all get started. I want to welcome everybody to San José City Hall. It was our turn to host. We've been out to the Water District offices a few times, been to City Hall a few times. I can't remember exactly how many years we've been doing these joint meetings, but it was something we started quite a few years ago just to make sure we and our council and staffs were working together on lots and lots of issues where we have very much a common interest. And we have made a lot of progress, had a lot of success over the years, so this is our annual opportunity here for our staffs jointly and collectively to spend a little time talking to each other as well, talking about issues, policies and hearing the work that has been done. Because it is really a progress report of the work that's been done the last year. And the reason we want to do these joint meetings is to make sure we keep working together. We discovered if we stop talking to each other, then we don't really make a lot of progress. So I want to thank all the members of the board that have joined us today and our respective staffs, and I would like to introduce the district board chair, Richard Santos.

>> Board Member Santos: Thank you, Mayor Reed and city council. I'm Dick Santos, chair, and District 3 director. And before we get started, make sure our board members have these tickets, or you won't get out of here.

>> Mayor Reed: Parking.

>> Board Member Santos: Number one. But it is a pleasure to get together and talk about common interests and things that we do together and keep this collaborative going together, because we have future successes that we have to plan together. The district and the City of San José have provided our community with a rich history of innovative projects and programs that deliver essential commodities such as reliable water, reduced flood risk, provide flood protection, and improve and enhance our streams. Chuck just got through saying, we just got to keep this thing going together. And I could read all day, but what it is, is about a partnership. Make sure each of us know what each is doing for a common meeting. We share the common vision for a safe and prosperous community and combine with a high quality of life for people living in it. We have many challenges facing us, and we all have budgets, and we all have problems. We feel confident that the District and the City of San José are up for these challenges. We know that we can achieve these by only one way, working together. I do want to make sure that everybody is aware, and we've done this before, we have our grant program. All city council members are interested in this along with the mayor. So we are going to hand this out. So with that, make sure you get these. And the other thing is, I appreciate everybody coming together, and I introduce our director, Beau Goldie.

>> Beau Goldie: Thank you, Chair Santos. Good afternoon, Mayor Reed, Chair Santos, Councilmembers, and Board of Directors. It was eight years ago in 2002 when the City of San José and the Santa Clara Valley Water District decided to work differently. Our agencies recognized the importance and the need for us to work together, at all levels of the organization, from staff all the way up to board of directors and city council. And this has served us well. Our focus over these last few years has been to deliver individual projects to the community and increase our efficiencies between our divisions. We've had great success. We've completed the flood protection and recreation provided to the downtown area, with the Guadalupe river flood protection and parkway project that purified protection to 2700 particles and you have a 250 acre park downtown. Water conservation is something we've worked on. We've expanded the trail system in the last eight years 21 miles of additional trails have been created, and that's 2.6 miles per year. And most recently together we've been -- we're working together to build the advanced treatment plant that will provide 8 to 10 MGD of highly purified water for the recycled program. But

that's what we've done. If we're going to continue to effectively, efficiently serve the community we need to take a long range view and that's really the focus of today. A long range view, developed into vision for the future. Both agencies are engaged in updating the respective general plan or the master plan. These plans will map out the programs for the next 25 to 30 years for the services that we're providing to the community. We have an opportunity here to plan our efforts that integrate and support each other as opposed to colliding with each other. Today we begin the joint discussion with our governing bodies. But on a different note I wanted to mention that one other item of significant importance with long range planning is the stability of the dams that supply the water to the county. The district is currently evaluating all of our dams to ensure they are based on today's engineering technology and standards. In a recent seismic study of Anderson dam indicate the dam would be unstable deformed during a large earthquake, about a 7.25. This is due to the materials that were used during the construction of the dam in the 1950s. We are currently working with the Division of Safety Dams to finalize the study and are working to evaluate alternatives to address that weakness in the dam. But I want to assure everyone that safety of the community is our first priority. We've taken recent actions to ensure the public safety by maintaining the water reservoir elevation at a very safe level. You are going to be hearing about this later on with the staff making a presentation. So if you have questions. Give them at that time. And now, it is my pleasure to introduce your City Manager, Debra Figone, City Manager of San José.

>> City Manager Figone: Thank you, Beau, thank you, Mr. Mayor, members of the council, members of the board. It's my pleasure just to add a few thoughts this afternoon. Beau's already talked about many of the efforts that we're collaborating on, and I think those are extremely important, and I can tell you that the staffs will -- are committed to continuing to work together on projects large and small, one that I know our council will be seeing and most likely the Board as they have been working on real estate transaction and minimizing parallel efforts and looking at streamlining opportunities, that's just one of the maybe more internally focused areas to highlight. Clearly, the staffs of both agencies are highly professional, very technical and do outstanding work but it's really the relationship between the council and the board that helps set the tone for our work and helps set the policy focus that then opens the door for the work that you rely on us to do. So in that regard today's study session is very, very important. And I would like to thank all of the staff from both agencies for their commitment to getting us here today. I do look forward to hearing the discussion for as long as I'm here this afternoon. I will

apologize in advance, I have got to step away before 2:30 to attend a police briefing, and Ed Shikada, assistant City Manager will take my place when I'm gone. Thank you very much.

>> Mayor Reed: Thank you. One thing I would like to mention is these microphones are live. If you want to turn them off you press the button. You get fairly close to pick up the comments you might have to make. So we're going to start with the long-term plans. Laurel Prevetti and Mary Ann Ruiz will make presentations on the city and the district plans and then we'll have some time for conversation.

>> Laurel Prevetti: Thank you, Mayor. Good afternoon. Laurel Prevetti, assistant director for Planning, Building, and Code Enforcement for the City of San José. I want to welcome the District board members to City Hall. This afternoon we are going to give you a brief overview of our Envision 2040 San José plan looking forward to how we can really grow San José so that we're more oriented around people and not just cars. As you know, we've had about a three-year effort underway, soon to be concluded, with the community based task force. We're pleased that chair Santos is on the task force as well as several of our councilmembers as well as board elect LeZotte. We've got a very good process happening, we've done a lot of work through city workshops and also social media, in fact we were just recognized by the California planning association for our robust community outreach. Through this process we have really been looking about how we can update our blueprint for growth. In other words, where are the correct places to add new population and jobs? How to we make San José an even better place to do business as well as visit, learn and play. We've been working with the community around several values and strategies, as I mentioned we're really looking at how we can plan San José, now for people and not just cars. As you know the vast majorities of our growth happened around automobile, and now we're really ready to look at other modes of transportation. How can we become a more bicycle friendly place, how do we encourage walking, et cetera? A lot of that is how we organize our new land uses and how we really foster the infrastructure to support those ways of getting around. One of the ideas that we have is really looking at more vibrant mixed-use communities, in terms of looking at how we can take older, dilapidated shopping centers and really transform them into mixed-use urban villages so people have close proximity to shopping as well as jobs while protecting our existing neighborhoods. We've got some key contents within the plan. One is that we're really looking at San José to become a regional employment center. With all of the new investment that is happening

around high speed rail, BART, and other critical transit, we are really poised to be a major job location for the entire bay region. We're looking at adding over 400,000 new jobs with this plan by 2040. In addition, we're looking at continuing to fulfill our responsibility for affordable housing and really housing for all persons. And in that regard we're looking at adding about 120,000 new homes to San José. By putting jobs and housing in the right place, though, we're able to protect our hillsides and our creek corridors and other things that are really valuable to our city. So the key growth areas are places that you would expect. North San José, downtown, our transit villages, places where we already have light rail investment and we have planned bus rapid transit. In addition, we are looking at adding villages within our suburban character, so that way all residents have equal access to shopping as well as to jobs. As we go forward in this, we are looking at how we can enhance San José's leadership role with the environment. Our city council has adopted ten very visionary goals called our Green Vision. And that addresses not only water but also energy, waste recycling and other measures. With the 2040 plan we intend to fully meet those 15-year goals as well as advance additional areas to 2040. Specifically, to water. We're very excited and very pleased with the partnership that we've had for many years with the Water District. And this partnership is really critical for us to be able to maintain our leadership with water. Together, with the Water District, we are looking at our new water recycling program. We're very excited about that. In addition, we're looking at how we can really promote new clean technology industries so that way San José can be not only sustainable from an environmental perspective but actually drive demand to create new companies in our city. We want to measure our sustainability efforts, not just have goals and policies, but also really measure them. So we're looking at very specific water conservation goals. In fact we're looking at the district's goal for conservation, and San José's ambition is that we will achieve at least half of the District's water conservation goal for the county on an annual basis. We're also interested in reducing residential per capita water consumption by 25%. In terms of water recycling, we continue to have the goal of recycling or reusing 100% of our city wastewater supply. So again, very aggressive goals, but we're very confident that by adding new demand for recycled water we can achieve this. We also want to protect water quality, particularly water quality within our ground aquifers. In terms of natural resources, I know the board is very interested as well as our city council in protecting our riparian corridors. That's a very strong theme that we're hearing from our community based task force, as well as improving and really implementing the new habitat conservation plan. We continue to be aggressive in terms of urban storm water management, and then again, really making sure that we're putting development in the right

places, through appropriate setbacks, next to creeks. Other considerations, for the general plan update include flood protection. So again, we share the district's goals in terms of making sure that we've got adequate flood protection. For existing as well as future development. In addition, we are looking at how we can adapt to sea level rise, since we know that it's likely to be part of our future. Infrastructure, making sure that we have key infrastructure to support not only water supply but also sanitary and storm drainage. With that I'm going to just conclude that we're really committed to the partnership that we fostered over these numbers of years with the Water District. This is this has been can expressed through our partnership on water supply assessments. These are documents that you've seen, that both the council and the board have seen prior to environmental impact reports being promulgated. In addition we are working together to strengthen our policies, as well as on individual projects, we welcome both the board and council's input. With that I'll turn it over to Mary Ann and she'll give you an update in terms of the district's long range planning actions.

>> Mary Ann Ruiz: Thank you, Laurel. Good afternoon, Mayor Reed, chair Santos, members of the board, and the council. My name is Mary Ann Ruiz and I'm in the office of CEO support. And I will be presenting the district's board governance policies. The board of directors -- excuse me -- has adopted our governance policies which set the high level vision for the district. The board reviews its policies on an annual basis and in fact are right now in the process of reviewing and updating its policies. And so while we are presenting the policies, there may be some policies that are in further development, and I'll point those out as we go along in the presentation. Unlike cities and counties, the special districts such as the Water District do not require a general plan. And so what the board has adopted are our governance policies. And a component of those governance policies are what we call the end policies. And the end policies is what we use for the policy and the long-range planning. So if we look at the framework of the end policies, I will say that the board takes great care to solicit and include input from the community and from its advisory committees. This year, in particular, the board had directed staff to go to all of the advisory committees, and have a discussion and solicit their input on the policies and long range planning. And the advisory committees consist of community members, experts as well as elected officials. And we're pleased Councilmember Chu is on the water commission. And after soliciting all the input the board then, as I mentioned, updates its policies which it's in the process of doing so now. In October the board held its policy review, work study sessions. And so the board establishes the vision, the outcome, the end, the goals to be

achieved, and that provides direction to the organization. And then the CEO then sets the strategies, and outcome measures. Measuring performance is very important. And so that's part of what the CEO sets what we're calling the outcome measures. And then we report back to the board on a quarterly basis for transparency and accountability on how we are progressing and achieving the board's direction. So in terms of the board's end policies, we start with the E-1, what's called the mission and general principles. This is overarching and the foundation for all of our policies. And the three pillars are E-2, reliable and clean water supply, and Sandy Oblonsky will be presenting the plans in regard to reliable clean water supply. And then we have the next pillar, E-3, natural flood protection. And Chris Elias later on will be presenting the policies and plans related to natural flood protection. And water resources stewardship, and Ann Draper will be presenting the plans related to water resources stewardship. Before I move on, a very important component. Even though these are policies within these areas, they work very closely together, because ultimately, it's driving the mission and general principles. So the mission provides very clear picture of what we're working to achieve for the community. And the general principles, as I said is, having an integrated approach within our organization is extremely important because these all work together as well as working together with our partners and the cities is very critical for us to achieve our goals together. And of course, having, considering the environment, all we do and having a net positive impact on the environment is important as well as the services that we provide to the community to carry out the District's mission. So if we start with E-2, as I mentioned, because we are in the process of updating the end policies, this is the current version, so you'll see two versions. And the board is discussing these versions and will be bringing it back on November 23rd for its final adoption. So when this went into production we were working on it as we speak. So this is the current version related to reliable clean water supply, that there is a reliable clean water supply for future generation, and their proposed version is the same end policy. However, the goals are slightly -- have been updated. And even these versions are in current update by the board. Next we have natural flood protection, that there's a healthy and safe environment for residents, business and visitors as well as for future generations, and we have water resources stewardship. This policy was added to the policy framework last year because the board wanted to make sure that our vision includes not only water supply and flood protection but also to protect and enhance our water resources. So this is -- these couple of slides show how, as an example of how the District's governance policies align with the City of San José's vision. So while the terminology may be slightly different, what we're trying to achieve is the same outcome with different authorities

and different responsibilities. And so we do work together in a complementary way. So this is the example related to flood protection. While the Water District's governance policies is that we will provide natural flood protection, the City of San José will work together with us to develop and maintain additional flood protection as needed. So with that, I would just like to thank the City of San José for the partnership, it's very important that we work together and have these work study sessions, and we're open for questions.

>> Mayor Reed: All right, Director Santos.

>> Board Member Santos: Thanks, Mayor Reed, and thanks both of you for a great presentation. I do want to take the time to recognize that several years ago, Mayor Reed with his vision got together with our Director Estremera and Director Kamei. And we started out the negotiations of talking about a recycling plant. I think that's the start of it. Then you had the committee with Director Estremera and Directors Kwok and Kamei, Councilmember Oliverio, Kansen Chu, and Santa Clara Mayor Mahan. They did a great job of putting this together, so I really appreciate how the initiative got started, accepting us to come on down and have a discussion. This is what these meetings are all about, and we got it off the ground. And today we have a \$40-million-plus plant that is going to save all of us out here with recycling water, so I appreciate that very much.

>> Mayor Reed: Thank you. Well, that's just a good example of the collaborative effort that we need to engage in because there are things we can do together that we can't do separately and that is just one of them. That question about demand, how do you calculate your demand? What do you base that on? We've just finished our general plan task force and Laurel just threw out some pretty big numbers on housing and population in the next 30 years. When you are doing your calculations based on demand what are you looking at?

>> Mary Ann Ruiz: Thank you, Mayor Reed. So I'm assuming you're going back to the policy related to reliable, clean water supply. Actually that was one of the extensive discussions that the board had. The board did change that to current and future water supply and they did remove the word demand. I think the board was channeling your exact thoughts because that has been updated by the board, so that they are no longer using the word demands but it has been instead current and future water supplies.

>> Mayor Reed: And how do you look at what we're doing and what all the other jurisdictions in the county are doing to figure out adequacy of supplies?

>> Mary Ann Ruiz: So Sandy Oblonsky is planning to cover clean, reliable water supply in the presentation, and I suggest that she will go through that part of the presentation.

>> Mayor Reed: Okay, good. Other questions or comments? We will have other times during all the other presentations for additional questions you may have at that time.

>> Board Member Santos: First thing we do is, we pray for rain.

>> Mayor Reed: Praying for rain, okay, put that high on the list. I think it's going to work this year. Some years not enough praying. I guess. Anything else? Questions or comments? We'll move to the next section, I believe, which is Sandy Oblonsky is going to talk about the water supply reliability and planning.

>> Sandy Oblonsky: Good afternoon, my name is Sandy Oblonsky. I'm in the water resources planning division at Santa Clara Valley Water District. And I will be talking about water supply reliability and planning with a focus on the long range planning. The presentation today is going to go over the water supply outlook, again focused on the long term outlook, challenges to reliable water supply, operating and managing our assets to address challenges, and planning for future water supply and infrastructure reliability. First I'll give you a quick -- this is kind of a picture of where we are today in our water supply outlook. We have two columns, end of year projections, this is the end of year water storage that we had at the end of '09, and this is our projected end of year for 2010 based on a dry fall. And we'll see where that goes. As you can see, we are slightly ahead overall in water supply on hand. As we were last year. I also want to mention, I'm going to be going through a lot of different programs and elements of programs, with a lot of information. You have fact sheets on just about everything that I'm talking about in the back of your packet. I want to talk about some of the challenges that we are now facing for a reliable water supply. One is, we've been hearing several years about infrastructure. Much of our infrastructure

is old and aging, and the cost of renewal and replacement is quite high. The reliability of our imported water which is a very critical part of our water supply picture, demand growth, something that we've been talking about earlier, developing new water sources to meet the future demand growth, and what climate change, the impacts that's going to have on our water supply reliability in the future, and our infrastructure, as well. Some of the programs that we have in place now to address these challenges particularly the asset management that's to address our infrastructure. We are doing a lot of work on our dam seismic stability investigations. Our dams are one of our very important assets for both flood protection and for water supply. We are expanding our current asset management. We have had a couple of, in the water utility, we've had an asset management program that helps you to do your maintenance, and replacement/renewal on a very informed basis. We are expanding that throughout our organization. We are expanding the registry and management of our assets and we're instituting what we're calling very rigorous project validation. And what that means is that any time something goes into our budget for expenditure, it will be vetted through a very rigorous validation, is it the right investment for the right piece of asset at the right time for the right purpose, and through all of this we will improve our maintenance service delivery. Another challenge as I've mentioned was the insecure future of the imported water. We have a lot of efforts in this area. Planning for a long-term delta solution, we have participation all the way up to our CEO, in the state and federal negotiations for a long term delta solution. We're working on producing the HCP and WCP for the operation of the state water project and the CVP with co-equal goals of improving the water supply reliability and the delta habitat. Some of the key issues are in the conveyance, the fragile levees, sinking islands. Of course they are very vulnerable to earthquakes and future sea level rise. And the ecosystem has degraded habitat for the endangered species, and we have increasing regulatory restrictions on the way water is flowed through there. Water conservation, very happy to hear of the City's goals, there's new statewide goals, the new law requires all retail agencies to reduce per capita water use by 20% by year 2020. And if we stay on track we'll easily meet that target. Recycled water, that's another tool that we have to address our long term water supply reliability. This is just a snapshot from '04 to '09 on the different recycled water systems in this county. You see the largest of course is the South Bay water recycling. And we expect that to grow quite dramatically over the next couple years. Director Santos talked about the advanced water treatment. We have executed that 40-year agreement. We have broken ground on that facility. And we have had our first meeting of the recycled water policy advisory committee. This facility is a ten MGD micro-filtration reverse osmosis and UV disinfection. It will be

constructed owned and operate by the district, in collaboration with the city. Talking now about our 2010 urban water management plan. This is required every five years, we're now work on our 2010 urban water management plan. We do this, and it feeds into all of the City's urban water management plans and it provides information for the cities to complete their water supply assessments. And this is where Mayor Reed, we do the demand projections. And we work with the cities to come up with the overall county demand projections. So we've been working with envision 2040, with all of the other cities for their demand projections, for us to come up with our overall water supply demand in the future. Again, this is the first step in addressing our policy of a reliable clean water supply for current and future generations. It includes the development of demand projections and the quantification of supplies in five-year increments from now up until 2035. And this we will use this demand projection to feed directly into our water master plan. Our water supply and infrastructure master plan is currently under development. We are -- have the elements to ensure meeting our board's end policies for water supply reliability. We pride ourselves in having a variety of mix of water supplies for the county. We have imported water, local water, recycled water, a terrific conservation program, and of course a very robust groundwater. We will be identifying new infrastructure, infrastructure updates to meet our current needs, and will be developing an implement plan for this master plan. Many drivers for this master plan. Anticipated future water supply shortfalls out into 2030, under dry years. A variety of infrastructure needs. Integrated water resources plan, our 2003 IWRP needs to be updated. And to ensure efficient investment of public moneys. As I said, this is all going to be based on very rigorous validation. The planning objectives for this master plan include ensuring a water supply reliability, maximizing water conservation and water recycle, ensuring our drinking water quality, minimizing cost, protecting the natural environment and ensuring community benefits. With that I will take any question on our water supply reliability.

>> Mayor Reed: Any questions? Councilmember Nguyen and then get Madison first and then come over to board member judge.

>> Councilmember Nguyen: Thank you, Mayor Reed. Just a quick question about the advanced water treatment facility. Question about jobs. How many jobs are expecting when the project's completed?

>> Sandy Oblonsky: Once the project is completed, we are expecting maybe four to six additional employees to run and maintain that facility.

>> Councilmember Nguyen: And what is the projection date?

>> Sandy Oblonsky: 2012.

>> Councilmember Nguyen: 2012, thank you.

>> Mayor Reed: Board member judge.

>> Board Member Judge: I wondered if we could go back to that breakout photo.

>> Mayor Reed: You need to get the microphone a little closer to your voice.

>> Sandy Oblonsky: This one?

>> Board Member Judge: No -- that one right there. I mean could you speak a little bit to this break, and you know, the amount of water that -- I mean I --

>> Sandy Oblonsky: I don't remember how much water breached. I remember when this happened. This was a break in the, I believe Joan's tract. And it really incapacitated the water supply system for some time. And this is some -- this is a scenario that we all fear. Because's what happens when these levees breach is sea water can rush into our water supply. And that happened here. We were able to restore it in a fairly quick fashion. But the impact can be huge. And this was one breach. We know that these levees are very fragile and a major earthquake they are very vulnerable.

>> Board Member Judge: Thank you. I just wanted to kind of highlight the delta because it is problem take.

>> Mayor Reed: You didn't mention how much water we get from the delta. It's a lot, I know.

>> Sandy Oblonsky: It's over 40% of our water supply. Probably if you look in the fact sheet back here -- 30-plus million people that depend on the bay delta for their water supply, 40% of Santa Clara's water comes through that. I don't see an acre-feet, we can certainly get that four you unless somebody here.

>> Mayor Reed: That's big, that's close enough.

>> Sandy Oblonsky: 40% of our water supply.

>> Mayor Reed: Board member Estremera and board member Wilson.

>> Board Member Estremera: Thank you, Mr. Mayor. I wanted to respond to your question which is a very important question for us, the district. You know in the old days when I first got on board 14 years ago, it was on policy, it was our practice as a district that our goal, in fact our objective and very being and existence was based on, we would provide whatever water needs anybody in the county needed. And we would dig all the ditches that were necessary. That was fine and dandy. But these days we're not in that situation anymore. In fact in the old days the way we used to plan were, the cities would plan and the county would plan a building because you have the police power and you also have development power. We would service you. We would go out and during our long term plans we would go out and ask all the municipalities in the county what their prospective needs are. And then we would seek to provide those. We're not there today, we're no longer there. And in fact those challenges that we described previously are the reason we're in longer there, that is that we can't just sit back and provide any service, any amount of water that our municipalities in the county might need depending on whatever your plans are. And in fact, that was a discussion that we had at the last board meeting with respect to our policies reflecting that condition. Exactly where we are. And so what that requires is greater collaboration between our district, and all of the municipalities. So that when you plan, we're in on the plan. So that we can, you know, assure each municipality what we need to do, what the challenges are, whether we can provide, what we can

provide, how we can provide water services. And so, sort of the same approach that we took with the setbacks on riparian corridors and also, with recycling projects. And hopefully, our future replenishment project, it's something that we think is required at this point in time. Certainly with the city being the largest city in the county and having the greatest need and having I think the most vitality in the valley. It's necessary I think for us to start discussing how we can coordinate a little closer, so that we can be of service in every way possible and at least ring the bell early and warn you whether we will be able to provide whatever services are required, in the future, based on the development that you're planning to have. And so I think it's a great question that you have and something that we've been discussing pretty much on a daily basis at this point. So I'm hoping we can all start thinking about how we can work on this in the very near future so that we don't have problems in the long run. We want to make sure that the district that we keep doing, we've always done, is to meet the water requirements of everything in the county. That's what we exist for. That's what we want to do and that's what we're dedicated to doing but we have all these challenges that might prevent us from doing it if we don't do it in a collaborative way and we're not all planning together to make sure that we can -- that we can provide what all our residents need.

>> Mayor Reed: Board member Wilson.

>> Board Member Wilson: Thank you. To answer your question about the water demand from the delta, I and staff put together some factoids for me on the 2nd of December. Since we started importing water to this county, we've imported over 5.5 million acre feet of water in Santa Clara County. 3.7 million of that acre feet of that water has gone through our treatment plants. This is water that we would not have had if it were not for the water we're bringing in from the delta. We wouldn't see the growth that we've had in the county. It just could not have happened. And there's some talk at times, we can perhaps wean ourselves away from the delta water supply. And I don't think we're going to see that happening, either. We right now receive about 100 -- maybe 150,000 a little less of our 250,000 acre feet of water because of the conditions in the delta. What we're trying to seek there is reliability of a firm supply of water, and so we won't -- and we don't want to strand that and we don't want to walk away from it. It's -- we cannot -- we cannot afford to try and get along on conservation and recycling alone. It's just -- just can't happen. So that is a very important water supply for us for now and in the future. So I just wanted to make that point.

>> Mayor Reed: Any other questions or comments? Board member Kwok.

>> Board Member Kwok: I just want to pull up with director Estremera's statement about collaboration, as you recall about five or six years ago the district ended the agreement with the different cities in collaboration in terms of protecting the riparian corridors. I notice that envision 2040 water strategies and goals, identified natural communities and wildlife habitat and you control and protect the riparian corridor with setback requirements, and I presume that it's further be addressed through the environmental impact reports. And I want to make sure that the cities and other agencies are working very closely together to ensure that setback requirements are enforced and that the EIR report fully addressed you know the impacts and also some of the mitigative measures to protect the corridors.

>> Mayor Reed: I think we'll let Laurel Prevetti respond to the status of the environmental review. Because I know we're in the middle of it somewhere.

>> Laurel Prevetti: Yes, we are. We expect to release the draft environmental impact report for the envision San José 2040 plan in December, so next month it should be coming out. And we are looking for how we can strengthen our riparian corridor policy. We're in fact going to be working with stakeholders around the implementation of our longstanding riparian policies. So we know that this is of interest both of -- to both bodies, and so we're really looking forward to how we can make sure this policy is working in the way it was intended.

>> Board Member Kwok: Thank you very much.

>> Board Member Santos: You know, Chuck, just to respond to Mr. Estremera, also, I totally agree. What we have done is, we can no longer just rely on the delta. That's why we did this plant, recycling plant. We have to rely on ourselves, and water conservation of course is number one. But there is other issues. And that's why Mr. Sam Liccardo, the councilman, when he was the chair here of 2040, we brought down Beau Goldie and our staff along with your staff to work together so we can take increments and talk about planning for the future by water

expansion and so on. So that's why it's so important to continue what we're doing here, this is how we do it. Because like you said, no longer can just blank us in that we're going to provide water. So working with each other is the key, and it's working. I think you also have a draft ordinance that you're considering about recycling water to industrial areas, those are the things that will work and make us all better.

>> Mayor Reed: Anybody else on this one before we change topics? You can always come back if you need to, another question comes up. I think we're just turning slightly change the direction to flood protection and stream stewardship master plan. Sandy is going to have that as well.

>> Sandy Oblonsky: Yes. At the same time as we are working on our water supply and infrastructure master plan we are also working on our flood protection and stream stewardship master plan with the same time horizon, going out to 2035. The drivers for this master plan. We are aligning the existing program outcomes and activities with updated board policy. We heard we have been working with the board and they are updating their policies. We want to make sure that we -- our programs are aligned. We want to update the existing flood protection and stream stewardship program and we want to create a framework to assess the future implementation strategy and I'll talk a little bit about that. We are aligning this master plan with updated board policy. On the left you see the board policy. On the right is our flood protection, stream stewardship master plan. We're getting the vision from the board's end goals and objectives and the course of action through the CEO strategies and implementing measures. And the goals that we're aligning with aligned with the new board policy are natural flood protection, reduced potential for flood damages, stable and healthy creek and bay ecosystems, clean safe water in creeks and bays and trails and open space. And that's how the master plan is organized. We are updating the current clean, safe creeks program. This was voter-approved in 2000. The program outcomes were natural flood protection, clean, safe water, the healthy creek and bay ecosystems and the trails, this sunsets, the funding for this sunsets in 2016. That program is on track to meet all of the commitment successfully and that has oversight by an independent committee, the independent monitoring committee for clean, safe creeks. The planning approach for this master plan is to building on the investments already started in clean, safe creeks, utilizing the existing criteria approved by our board, integrating stakeholder feedback, we have a lot of stakeholder outreach on that master plan and striving for geographic balance of the benefits. When the funding

sunsets in 2016, we will still have some funding to continue to fund what we're calling our baseline program. We've come up with some criteria in developing that baseline program. And they are meeting minimum requirements district act, legal, regulatory, and contractual requirements, reducing or eliminating risks considered to be very high or critical to sustainability, and reducing or eliminating risk considered moderate. We find that we are able to go to that level, with this baseline funding. And maintaining the current level of service, or investing in efficiencies with a pay back within five years. And this will help be informed by our asset management program. Goal number 1 of the master plan is natural flood protection, preserving flood conveyance capacity, baseline program. This is a first cut at what we could fund on our ongoing funding without going out for additional clean, safe creeks. And that's natural flood protection projects. We still have 42,000 parcels that are subject to flooding. You'll be hearing a little bit more about that. The funded flood protection projects that were funded through construction will continue. We funded some flood protection projects through planning. And we would need additional moneys to continue the construction on some of those. Sediment removal program will continue. The levee maintenance program will continue, and routine maintenance, including the creek bank repair and stabilization will continue under baseline. Under goal number 2 the reduced potential for flood damages. Part of the baseline program would be the water shed asset protection. Emergency services. Maintaining the hydrologic data collection, public outreach, flood awareness, the sandbag program, and a new program of flood warning system. In goal number 3, healthy creeks and bay ecosystems, under our baseline program the watershed property, vegetation control program, the re-veg mitigation maintenance, mitigation monitoring, erosion protection and ecological monitoring and assessment would be funded by our baseline program. Goal number four, the clean safe water in creeks and bays. The NPDES or the district urban runoff program will continue. We will continue to meet regulatory requirements for impaired bodies. Our education and volunteer programs. Our haz-mat emergency response with some program reduction. Creek cleanups and responding to litter and graffiti complaints, again with some program reduction. Trails and open space, what we will be doing is looking for trails opportunities as part of district capital projects. And partnering with the community to provide public access to open space or trails along our creeks by providing right-of-way. And that is basically the elements of the master plan. We are in the process of doing a second round of outreach. We're going to our flood and our environmental advisory committees. We are also -- we will be holding two public meetings in December to get stakeholder input on those master plans and the proposed programs.

>> Mayor Reed: Questions? If you would go back to the first slide you put up on this section. That. Upper left-hand side, I assume that's there for a reason. That those rocks in the creek were intended to be there, and not just a bump of kids having fun with creek side. So am I right? And so what do you call that, and what's the purpose of it?

>> Good afternoon, Mayor Reed and members of the council and good afternoon chair Santos and members of the board of directors. What you have there on the left-hand corner is essentially an attempt by the district to provide obviously you see the bank is very well stabilized. And then also, the channel or the water kind of goes through what we call the low-flow channel to allow for fishes passage through that area.

>> Mayor Reed: So this is an alternative to the fish ladder over a dam kind of solution?

>> Chris Elias: I'm not necessarily sure if that's an alternative. We basically had a challenge of making sure we had enough pool in the water and then have the fishes be able to pass through, migrate up and down this stream.

>> Ann Draper: This is Ann Draper of stewardship division. One of the things that we try to do is introduce what's called stream complexity, which allows for refuge for fish as well as passage. So they need a place as they're moving around to hang out. And so these -- [ Laughter ] -- allow for places where the stream flow is not as great as others. It's in the natural setting. These types of rocks and other, sometimes there are large piece of wood that are bolted into the stream bank to allow for that stream complement. And so these are well thought out placed rocks. There's a lot of things that go into looking at the stream flow and how we want to create those eddies and pools for the types of animals, primarily fish, but could be salamanders that rely on that kind of water flow.

>> Mayor Reed: Is this to stabilize the banks, or was this just about fish?

>> It would be both. And so one of the key things that we do, in every project that we do, is to design in as best as we can the natural parts. And so that's where natural flood protection comes in. You're seeing the natural part of that flood protection so we try to introduce as many objects as we can into our projects. And these sometimes are done through our maintenance program and some through our capital program.

>> Mayor Reed: Other questions or comments on this particular section? Councilmember Chu.

>> Councilmember Chu: Thank you, mayor. I just had a question on the NPDES permit. Could you elaborate on that a little bit? What does NPDES stand for?

>> Ann Draper: We are going to be coming up and talking about that in just a moment. If you will just hold on, we'll have quite a bit on that one.

>> Councilmember Chu: Okay, thanks.

>> Mayor Reed: Other questions or comments on this section? Nope, all right, let's move then I think to stream and tidal flood protection, next category.

>> Chris Elias: Good afternoon, again, Chair Santos and members of the board, and Mayor Reed and members of the council. Chris Elias is my name, and I'm the watershed manager in the watershed operations of the district. And with me will be Timm Borden, public works director, deputy director, that will be co-presenting with me. Move forward. To the next slide, keep going keep going keep going. Next, good. We view our flood protection here in the community as one that involves shared risks and shared responsibility between this city and the district. Next. With that shared responsibility, we work together to improve public safety in San José. Through working together to secure funding enough for future flood protection projects through collaboration on the maintenance activities, through improved emergency preparedness and response and recovery coordination through expanded communication of flood risks, through adaptation to emergent issues like in the sea level rise as it relates to climate change, integrating flood protection into infill and new developments, and then also look at

enhanced guidelines and standards for land use near streams, while also supporting the city in its community rating program with FEMA. Next. Those are the topics already outlined so taking up the very top which is the flood protection projects. What you have in front of you basically is that historically, you know, San José, historic flooding in San José and has been widespread over the many years, nearly 50 years, as you can see from the map. Flooding significantly affected sections of the community and influenced economic development decisions. So what you have obviously is areas that are flooded, that were removed from flooding since 1950s, are in brown, colored brown, and then you have the current flood planes that are in blue and the green area essentially is mostly den part of San José. Although our flood protection is funded through parcel tax, maintenance remains a critical piece of work that we have to do regularly. Here what you have before you again is existing flood potential area. We have 14,000 parcels that are still in FEMA 100 year flood zone. And of those, 78, 28 flood parcel owners are still paying insurance premium, flood insurance premiums, resulting in an investment of well over \$7.3 million per year. And in addition, we do have our maintenance activities that will provide that -- or that result in about \$1.9 million that we invest yearly on the streams in the City of San José, to remove well over 5,000 parcels, to continue to maintain enough capacity in the strategic plans to protect well over 5,000 parcels. The city itself is an active plane manager, and we know that flood risk hazard was reduced and economic development potential has been enhanced in a throughout collaboration with the city. And looking to the future, we need to ask ourselves if this is what we have now for the past 50 years, in the next 50 years how do we want to change this picture? What is our vision for a completely flood-safe community? Next, so speaking about flood protection projects to change that picture, what you have in front of you is a plan to build seven flood protection projects in the future. The table shows that we have a funding gap of well over \$1.03 billion in our funding projects we need to do working together with you. Obviously the ones that have the zero funding gap means those have been completed and the neighborhood continues to enjoy flood protection. And the ones that are still in planning stages or in design or construction have our funding gap that we need to address. So how do we -- question then for us is how do we sustainably grow our economy while reducing our shared exposure of vulnerability to flood risks in the remaining flood plane? Would a joint trip to Washington be something that priority policy makers want to consider? Going forward, on the amount of water to build, the slide provide an overview of the stream maintenance program to remove sediment, vegetation and debris from plugging up local creeks and streams. In summary: Our 2010 budget for facility maintenance in Guadalupe and Coyote is

approximately \$1.9 million. County wide, we've removed well over 17,000 cubic yards of sediment, 4,000 acres of vegetation and more than 3,000 cubic yards of debris from streams per year. With currently funding we are able to maintain over 98% of our channels at 100-year flood capacity. And -- but with land use efforts we continue to have -- hopefully help to minimize erosion that reduces channel capacities in our streams to reduce flooding potential and that is something we'll continue to work with the city on achieving. Going forward, on flood outreach, emergency preparedness, we work with the city again on November 10th, which is on Wednesday, we plan to send out our annual mailers to residents that live behind the levees kind of advising them about the dangers of flooding and as those, particularly those areas within the shot of tidal flooding, to encouraging them to continue to purchase flood insurance. And here is our Website. This Website here is something that the city relies on to retrieve wintertime stream flow data, precipitation, reservoir data that they can then share, that they can use in preparing or working with us to prepare for flooding. And we also -- attached to that we have an alert system that again notifies all those that are signed up to receive information on that. Speaking about our emergency preparedness, we did hold a joint emergency response exercise on using as scenarios that involved the Anderson dam not too long ago working with the city staff. And on November 3rd we held a temporary flood barrier installation at Highway 280 and Almaden Boulevard. And the intent was to be able to capture water that was coming from upstream and re-divert it back into Guadalupe. It involved a lot of work with your staff from the Department of Transportation, Public Works, police, fire, and emergency services. This occurred about 1:00 in the morning, from 1:00 to 5:00 a.m. in the morning on the 3rd, the morning of the election, and it was in Councilmember Sam Liccardo's district and Director Judge's district and also involved working with CalTrans and CHP to shut off the streets to ensure that we didn't have people who would inadvertently drive or run into the bladder dam that we had installed on the roadway. Additionally we'll continue to work with your staff and assure them that we coordinate on weather information and creek and reservoir information throughout the winter. Now, going forward, climate change is an emergent issue. Climate change is projected to increase the intensity, and frequency of storms. And that may result in sea level rise including south San Francisco Bay. So the question for us both you as policy makers is what impact would sea level rise and climate change overall have on the city's bay front? We believe that sea level rise would add a new dimension to flood risks in the South Bay. We believe that the bay could flood vital open and community assets. Significant flood protection in the form of levees would be needed to protect low-lying areas and from the existing flooding risks as well as ones from the tide that would

result from possible future sea level rise. Flood protection is essential to allow for substantial restoration of the South Bay, we are aware of that. So the graphic that's in front of you depicts a 1 meter sea level rise, that's approximately 3 feet in depth. So policy question, how will declining policy funding infrastructure and land development decisions affect not only greenhouse gas emissions, but also, our vulnerability and resilience as a community to the impact of climate change. One final risk that's currently emerging is that recently, the U.S. Army Corps of Engineers has been pressing forward with a policy that could require trees to be stripped from levees that protect homes and businesses in San José, as in other parts of the country. If removed, that will cause elimination of shade on habitats that remain along Guadalupe, Coyote, Berryessa, and Upper Penitencia. Why would policy makers want to listen to a local government official's opinion of what seems like the mundane technical question about trees and levee stability? Well, the answer is that any decisions about how we reduce and manage flood risks are land use decisions, and levees are tools that we use to reduce the risks of flooding to people and property in flood planes. These tools can also be thought of as land use decisions. They guide and shape development similar to your zoning regulations. Speaking about new risks that continue to emerge, you heard earlier on from our CEO Beau Goldie on the study we have been conducting on Anderson Dam, specifically if faced with an earthquake of magnitude of 7.25 on Calaveras fault, we may have some deformation on Anderson dam. But as the CEO alluded to, our board views public safety as priority number 1 in our attempt to try to address the issues that brings up. So we'll continue to accelerate our projects to rehab the dam or address issue the challenge it brings upon us and we'll continue to work with your staff to monitor storm events, reservoir that produces to ensure that minimizes the risk of flooding in Coyote as a result. With that I will turn it over to Timm Borden to speak about envision 2040 and impact on flooding.

>> Timm Borden: Thanks, Chris. Again, Timm Borden, deputy director of Public Works San José. Do want to talk -- go back to some of the discussion that you had earlier about how San José's general plan is the blueprint for future growth in the city. And while it balances, it's really the strategic balance of a lot of different factors. One of the strong ones is the balance of the desired growth against acceptable flood risk. We know that with infill and intensification of land uses within San José the city's flood exposure could change if not managed appropriately. There are codes and guidelines that if you go below the level of the general plan how we manage land use and construction within flood planes, our Municipal Code has regulations in it that are adopted out of

FEMA model ordinance that tells how construction within FEMA's 100 year flood plane is to occur, whether that's flood-proofing buildings or elevating buildings above the flood plane. It guides specific land use and construction requirements in that area. And then we continue to update and monitor the FEMA guidelines as far as the requirements and making sure that we are in good conformance with those FEMA guidelines. The reason that is important is because since 1982, the city has been an active participant in FEMA's national flood insurance program. This allows the citizens within San José to get federally backed mortgages and provides the city with federal disaster assistance. Also, within this national flood insurance program, there is what they call the community rating system. That's something that San José also participates in, and has a strong partnership with the Water District. We both work in an effort to manage our flood planes, we gain points that put San José at a level 7 within the CRS classification system. What that that means is, it gets every premium, insurance premium within San José gets a 15% discount, because of the efforts of the city and the Water District. And that's on outreach, things that we do to minimize the risk within those flood planes. There are other collaboration efforts like in the 100 year flood planes on the FEMA maps, traditionally in the past those have been based on the areas that are affected by a 100 year flood, when the creeks spill. What FEMA's maps now reflect and what reality in fact reflects is that storm drains are an important part of that as well. So we are working together with the Water District on master planning not only the creeks but the storm drains to make sure that not only are the creeks and their overtopping managed but also the storm drains that get the water to the creek are managed in concert with that. We are planning for multiuse facilities, the detention and community facilities. That's just with the premium on land, you have to be able to get the most use out of it possible. So we're looking at ways that we can both manage storm water quality and flood plane management within some of our open space areas. And then there was also discussion already about the water resources protection collaborative that allows us to manage the flood planes and the areas in the riparian setback area. So again just to put up the policy considerations, that you could have in front of you with this discussion, we have support for funding of future flood protection projects, the maintenance, emergency preparedness response and recovery, outreach, land use plans and zoning, development ordinances and guidelines, continuing in FEMA's community rating system, are supporting storm drain upgrades. So with that I'll turn it back to council and board for any questions and discussion.

>> Mayor Reed: All right I'm sure we'll have a few. Board member judge.

>> Board Member Judge: Mine is for Chris. I apologize, I was trying to get it in just before you started. Could you go back to that slide of showing the core, you know --

>> Chris Elias: On vegetation?

>> Board Member Judge: Yes.

>> Chris Elias: Right there.

>> Board Member Judge: Yes. If this were a project, could you describe what that would look like? This was a core funded project. Just want to be clear.

>> Chris Elias: Director judge, you are absolutely correct. This is a sampling of a project that was planned, constructed, and certified by the U.S. army corps of engineers. The vegetation that you see there was part of the design. They were put in there with the sole purpose of providing a better habitat and also to provide a shading for -- on the creek and they're intended to cool the temperature of the water so that it would provide for a nice habitat for fishes to be able to hang around and then be able to migrate up and down. This is what makes for a very nice habitat for fisheries. In addition, on the left-hand side you see there's a trail, when people are riding up and down the trail, they enjoy the scenery as well. If you take out the vegetation, in order to respond to the concerns of the corps because of Katrina, then what will happen I can assure you that you have the replication of Los Angeles river right here. So in other words the vegetation will be removed completely and then essentially be looking at bare soil or bare concrete. I'm not sure whether that's what the policy makers or people of this community would like as a value.

>> Board Member Judge: Yes, I wanted to be clear on that. I mean that would just be -- just be cleared. Doesn't -- it doesn't work in any regard. The corps of engineers has been pummeled after Katrina. And therefore, they're putting together policies where it's you know, one plan fits all. And so this is going to -- this is going to be a battle.

>> Chris Elias: So director judge you are correct again, because of what happened in Katrina, they are developing basically a one size fits all solution and what we are asking them to do is give credence or give some opportunity for a local situation to drive the way that we plant vegetation or design them into our projects. And what happens also, if they are successful in actually going through the policy, then they will decertify the levees. Which means that those residents have been put removed from the flood plane will then have to go back to the flood plane and start paying insurance all over again. This would have significant impact on people and businesses that ring the levee here.

>> Mayor Reed: Where is the argument with the army corps going to take place besides in the media? Are the regulations final? Is Congress got anything to say about it? Where is the argument?

>> Chris Elias: Mayor Reed, you raise a very good question. Right now it was just a proposal. It was intended to kick in at the end of this year. But now because of the pressure they're getting from everywhere across the country, they relaxed a little bit and deferred their decision I believe sometime in April of next year to try to solicit more input from concerned entities like ours and your city, residents and community and businesses, and we also know, while we're out in Washington not too long ago, back in October, we raised the temperature a little bit on the congressional delegation and my understanding is senator Feinstein and Boxer are very much interested in helping to raise this as an issue or work with the corps to come up with some kind of solution that would allow us to again to continue to balance flood protection with our riparian habitat that officially some people will enjoy.

>> Mayor Reed: We are currently in the process of developing a legislative agenda that is going through our committee system. I want to make sure this gets on the list for the City Manager for us to consider in terms of what we are going to look at next year. Vice Mayor Chirco.

>> Councilmember Chirco: Yes, I just wanted to echo what the mayor said. In our general plan we've talked about a walkable community. And one of the elements of the walkable community are trees and wide avenues. Realizing this is a trail, but I really would like to see this a legislative priority. I'd like also, the army corps

of engineers to remember that New Orleans is below sea level. So it's not only one size doesn't fit all, it's ridiculous to look at New Orleans and compare it to other parts of the country that have nothing in common. So continue the legislative effort, and I would look forward to the city participating in that, too.

>> Mayor Reed: Have a few others, something on that?

>> Board Member Santos: Yes, real quick, thank you, Mr. Mayor. Our delegation was just there in Washington, along with Chris Elias, and we had Cy Mann and Mr. Kwok and myself in our delegation, and Rick Callender of government relations. We addressed those issues immediately, got language together. You'll always be kept abreast. We want your input. We are going to work together on this. We have everybody from Zoe Lofgren to Mike Honda, all our congressional people working on this right now to make sure this language meets the needs, Judy, as you said. It's not just -- it's out there in New Orleans, we have in Alviso, we have the shoreline studies. We have to address these issues before we can develop and do good things for our community. But environment is a big issue, and we know it's going to be overzealous, it's going to cause a lot of obstructions, it's going to prevent development and cause environmental issues. So we're looking at that very carefully, and as we speak right now, language is being addressed, and Senator Feinstein is carrying that.

>> Mayor Reed: Councilmember Herrera.

>> Councilmember Herrera: Yes, just wondered if somebody could comment on what alternatives, what would be the issue they needed to mitigate. I'm guessing the trees are making the levee unstable and what would be the alternative to fixing that?

>> Chris Elias: Again what we've heard is what happened in Katrina. The concern is the trees have deep roots in the levee and if in the event they fall over, they will take some soil with them and then weaken the levee in the process. And when they weaken the levee, so then the levee wouldn't be able to fulfill its core mission of protecting, of holding the water at bay. So that's the concern that they have expressed. And we don't quite agree

with them. In terms of their position and we're looking again for ways to try to address their concerns but at the same time maintain robust habitat for fisheries and people.

>> Councilmember Herrera: So we basically don't necessarily agree with their assessment of our trees, the trees actually compromising the structural capability of the levee?

>> Chris Elias: We do not agree ma'am.

>> Councilmember Herrera: Thank you.

>> Mayor Reed: Board director Wilson.

>> Board Member Wilson: Two things, talking about how we design and build our projects, I've been saying we want to make our projects help define the community they're in. Used to be that we put them between rows of houses and if somebody -- everybody's backyard. Now when we design and build something we wanted to make it something that adds real value to the community. And that just one thought. Second one is on FEMA and the flood insurance issue. People take their homes out, stop paying flood insurance or they can, at least, when they're removed from the flood plane. But two parts of that. One, it's -- they're protected right now maybe up to a 1% flood. That doesn't mean they're completely protected. They have good protection. But now with the global warming issues facing us and not really warning exactly what that means, not only in terms of sea level rise but also in terms of the nature of the storms that we'll be seeing in the future, I've seen literature now that suggests that well we've been calling a 100 year event would be something like a 25-year event some day. So even though we're providing good flood protection, and I think that most people in the community will remain safe for a long, long time there's no assurance, that's why you need flood insurance.

>> Mayor Reed: Anybody else on this? I had a couple of other questions to change the topic slightly. Maybe staying on the same topic. Bay conservation and development commission has been considering a proposal to expand their territory based on the flooding map that was up there. And we weighed in on this, City Attorney has

written a letter. I don't know if the Water District has been in on that discussion or not. I'm curious if, Rick, you've had any conversation recently on that?

>> City Attorney Doyle: No, I'm looking to Laurel if there's any follow-up. She's been following it as well. We did issue a letter, the BCDC is intending to expand their jurisdiction. It does require enabling legislation from the state of California. So there is a process they need to go through, but they are beginning that process and Laurel, I don't know if there's any update.

>> Laurel Prevetti: Thank you. The Bay conservation development commission is continuing to conduct workshops and ask for input. So if the district is interested in weighing in on that that would be really important I think. Our message is that yes we recognize sea level rise, we do need to look at adoption strategies, however that is best done at the local level without another regional agency telling us how to achieve that. So that's been our message and we're still awaiting to see whether or not BCDC follows through. Thank you.

>> Ann Draper: The district has also written a letter, and we sort of said the same thing, that we recognize the real concern that this will provide to our communities, we need to work together with our land use agencies, and that we are better poised to make those kinds of decisions than a regional agency. So we are saying the same thing.

>> Mayor Reed: Still on that topic. Who's responsible for raising the levees to cover that 1 meter increase or whatever it is? Who's in charge? How does he get paid for, who gets to decide which levees go up?

>> Ann Draper: The land use decisions would need to be done by the city. Because one of the first things that needs to be determined is, what areas need to be protected? There are some areas that are in your jurisdiction that are currently, let's say, salt ponds, that you want to have actually converted into marsh and so those would be areas that you would say yes, they need to be on the outside of the levee. So that would be the first step that would need to be done. And of course we would be working with you to understand those issues. What also are working with our corps of engineers right now on something that's called a shoreline study that chair Santos and

others alluded to, where of course are pushing them anxiously to finalize that, so that we can take our first step. I would -- it is clear what Sandy Oblonsky and Chris Elias presentation, that currently we don't have the funding secured to build those levees. And so we can anticipate that the community would need to support it, as well as we would need to get federal funding to help support those types of levee.

>> Mayor Reed: Councilmember Liccardo.

>> Councilmember Liccardo: Just on that point. Given the fact that really funding is at the center of all this, we know that we've got to build something and the question is how we pay for it. I'm just wondering about the approach that we're taking now, which is really resisting. I understand we always want to assert local control, but resisting a regional approach which may in fact be the best one for securing that federal funding. We certainly see in transportation context and other context that regional led efforts are often the best ways of getting federal attention because they simply don't want to be allocating money to 99 jurisdictions in the Bay Area. They'd be more interested in seeing more cooperation and collaboration. And so I'm just wondering, help me understand why the city is resisting that.

>> Laurel Prevetti: I wouldn't characterize our position as one of resistance. I think it's really one of what are our respective roles and responsibilities. If BCDC wants to champion a regional approach to sea level rise and look at ways that we can protect our communities, then that would be great. I think it's really about how we approach that. So I think what was concerning to us was BCDC was essentially telling us no you can't build a North San José. No, you can't build anymore in Alviso and perhaps you might need to move an entire community. It was the approach they were taking. I think you're right, at the end of the day, it is going to take a regional solution in order to attract the money. So I think it's still a conversation that's underway. It's not only for the South Bay but it's true region wide. So as we work together with BCDC but also with the Association of Bay Area Governments, our transportation commission and the air district, we have an opportunity to really figure out where is it in this region we want to grow and how do we put those investments where the growth is going to occur.

>> Councilmember Liccardo: Thanks, Laurel.

>> Mayor Reed: Anything else on sea rise? I have another question and it's a different direction. Emergency preparedness. About six years ago I think we negotiated a protocol, city and Water District about who gets to turn the pumps on, who gets to turn the pumps off when the creek is rising and we're worried about Alviso, we don't want to pump more water in. And we work out a protocol. I don't think it's been challenged based on flooding. But I am curious how that's working, if we had any issues.

>> Board Member Santos: The last meeting was with you and I and at the time our CEO Stan Williams. Again, I appreciate the leadership, because that was needed. And I don't think anything has changed since then. I think again, you know when it comes to the in the channel, we're calling shots, when it comes to outside, the responsibilities, you and the City Manager is calling the shots. Together we make better decisions. And Nancy Pyle and myself are both on the county preparedness council. We have got everybody included in there. We have good civil defense issues and whatever have you. It's going well. If that should be addressed again it's up to all of us.

>> Mayor Reed: I don't know if it needs to be addressed again, the question, how ask it going, is it going okay, I haven't heard about it since we worked it all out. But there hasn't been any serious flood --

>> Mr. Mayor, it has been going well and we haven't had to deploy it. But it is pretty much our understanding at a staff level as to how that operates. It is in our emergency operations center, and it does just as you say get into the detail of the communication as the water starts rising back and forth between the Water District and the City of San José and ultimately, with very close coordination it would be the City Manager that decides when to turn the pump off and when we need to protect the levee. So it's being able to protect the local flooding in North San José up to a certain point. But -- and then at one point it will turn over to protecting the levee from further problems.

>> Mayor Reed: Okay, anybody else in this stream and tidal flood protection, I'm sorry, stream and tidal flood protection category? I think not. Then we'll move on then to creeks habitat restoration and trash. We've got Ann Draper and Melody Tovar coming in to talk about those.

>> Melody Tovar: Good afternoon. Melody Tovar, Deputy Director with Watershed Protection, Environmental Services, City of San José. And I am joined across the room by Ann Draper, assistant officer with the Water District. Here is a view of our watershed. As we talk about creeks, habitat and trash, I wanted to remind us we all live, work and play in a watershed. This view of our watershed was actually developed jointly by the city, district, and other stakeholders some 13 years ago as part of the Santa Clara basin watershed management initiative. It shows here a watershed where homes, jobs, and services are all collated together in compact development. We have open hillsides, active and wide flood plane areas, and clean water flowing through a vibrant community. Whenever we talk about creeks it's good to remind ourselves where our water actually goes after we use it. Our indoor activities, water from our sinks and drains and inside our businesses, goes through our sanitary sewer system, and that goes, in San José and many of our other cities, to our San José Santa Clara water pollution control plant, where it's treated and then discharged to the bay. Our outdoor activities, whether it be rainwater or things like over-irrigating our lawns, tends to flow, along with other pollutants, through either our storm sewer system or directly, in either case directly to our creeks without treatment, and then eventually out to the bay. This distinction of the creeks and the rivers receiving no treatment is what makes part of our job so challenging. The district and the council have talked already today about the value of our riparian areas. The more natural a stream can be, the more resilient our water systems can be to the inherent fluctuation of seasons and year to year. It is important for flood protection, for water quality, and for habitat quality. Similarly, and interrelated, surface water quality is important as a foundation to our thriving ecosystems and to our healthy and safe communities. It is connected to our groundwater, in some cases in some places in San José directly to our groundwater. It is important for habitat protection, as we talked about on the previous slide, and surface water quality in our local creeks is critical because we're using our creeks as an important opportunity for recreation for our community. We are joined as two agencies by vision and also by implementation. I wanted to share a couple of examples of how we are currently in partnership between our two agencies in ways that support healthy creek environments. Councilmember Chu asked earlier what NPDES stands for. NPDES is a federal permitting system, and so the acronym stands for National Pollutant Discharge Elimination System. It is the foundation of federal permitting for any discharge to a water of the U.S. The first bullet here describes the municipal regional permit. It's for storm water discharge and it's an NPDES permit. That permit is new. It was adopted just about a

year ago is now a regional permit. So our two agencies are two among 76 Bay Area agencies regulated by this same permit. The permit is ambitious. It includes requirements for specific pollutants like mercury and trash. It includes requirements for specific strategies like public outreach and water quality monitoring. Our city and the district are impacted differently by the requirements, cities and districts are, but collectively implementation is very costly for our community. But we are working together on how to implement that. The Santa Clara Valley Urban Runoff Pollution Prevention Program is our countywide collaborative forum for how we implement these permit requirements. The city and the district are the two largest members of that collaborative. You're also very familiar with our joint memorandum of agreement for trash removal and prevention by the City of San José and the Santa Clara Valley Water District. We've been working together for five years plus now on how we remove trash from our creeks. And the city and the district are both members of the valley habitat plan. In looking at how some of our planning activities interrelate, I wanted to go over a couple of specific examples. Here is an area of Coyote creek. Noting the stretch of bright blue in the center going down from Montague to the north and then upstream towards the South to highway 280, that's referred to as mid Coyote. That was one of the major planning projects that Sandy mentioned during her work as being on the Water District's docket for planning with flood protection the emphasis but not yet fully funded. I think Sandy's report showed something like a \$500 million deficit to fully fund that project. Both agencies have joint interests here. Also shown on the slide I've included the Water District and the City's trash hot spots. Part of what that storm water permit requires is that we clean up and assess a set of hot spots. We have 32 and 12 collectively. In that area we, between the two of us, have about eight hot spots. Another requirement of that permit is that cities like San José implement programs that will significantly reduce the amount of trash coming from our storm sewer systems into our local creeks. The permit explicitly sets a target of 40% reduction in that trash in the permit term by 2014 and then also forecasts future targets going up to 100% trash reduction from our storm sewer system by 2022. San José is looking at a variety of strategies on how we'll implement that, as are all Bay Area cities. One of the ways we'll do that is by implementing or installing structural control devices in our collection system. That will give us opportunities to intercept the trash before it gets to local creeks. It is expensive, and it comes with new maintenance costs on an ongoing basis. In the past we have so far de-prioritized trying to intercept the trash at the very end of the pipe because of concerns we would have with constructing that close to the creek and with the cost of doing so just for a trash capture device. However, knowing that the district will already be working in and around this area may leave us with a

new opportunity to consider solutions, larger devices at the end of the lines. So in looking at our various planning efforts, this may be an example of where working together as we plan allows us to bring better value and at greater efficiency to our community. We have a whole host of plans that have some relationship to that mid Coyote area including at the highest level the general plan and policies that Laurel and Mary Ann talked about. The valley habitat plan, our own system master planning efforts, both of our CIP programs, the City's riparian policy, our plan for controlling trash in our system, and our ongoing trash MLA. So this is one example of where the policy question is, should the city and district integrate for long-term planning for healthy creeks. Moving further down, or north along Coyote creek, we reach the southern tip of the San Francisco Bay. The city has a current master planning for that San José Santa Clara water pollution control plant and it is located right there along Coyote Creek and the bay. Here now may be the familiar picture right there towards the center of the actual operating area of the plant surrounded by quite a bit of land that is the subject of our master planning effort. The Water District also has flood control easement and species mitigation areas in this area over to the east near Coyote Creek. During our master planning process stakeholders and other scientists have identified that this area of Coyote creek could be a rich opportunity for doing restoration in a way that connects the bay biologically and hydraulically to the upland areas and to the creek itself. Both as part of the Water District's Coyote creek historical ecology report, and also, as part of the bay wide stream goals projects, habitat goals project, this area has been identified as a unique opportunity. So we invite consideration here as well. Should the city and district integrate long term planning for a healthy bay? Here we know that many of those same policies and plans exist and also include the shoreline flood protection plan, which is in progress and which would also address the kinds of things or help to address the kinds of things discussed in the previous topic, and at some point a future sea level rise strategy would also need to be incorporated. Lastly, we've talked about our creeks in our areas as important for our trails program, so also we would want to include our City's Greenprint and the individual trail master plans. So with those as two examples we invite discussion and/or questions.

>> Mayor Reed: Councilmember Liccardo.

>> Councilmember Liccardo: Thanks, Mayor. I wanted to thank the water district board and staff for all the great work that they've done and all the collaboration as well on creek cleanups. I know it's certainly a big concern in

my district, since the creeks are such a prominent feature of our topography, and I know Joe feels the same way. I'm sure Madison does, as well. In central San José we really are significantly impacted by what happens in the creeks. One proposal that I know we've had some discussion I think informally about. And I think at the transportation and environment committee a couple of months ago we had asked staff to more formally discuss, was how we could engage with the housing department and the Water District in addressing some of the enormous amount of trash that is created really because of the number of homeless who live in the creeks, knowing that that is an enormous source of what we have down there. And I think many of us who have been in the creeks in the last couple years know that you've got essentially small villages in there at times. It is obviously a distressing sign of the times but it is very real. And specifically a collaboration that could incorporate some conversations we've had with nonprofits groups such as nonprofits streets groups how would you engage homeless in being paid in participating in cleanups and participating with our housing department to move into traditional housing at the same time they're being paid to clean in the areas where they had been living. And the question I had is, has there been much progress? You know, I hear informally that we're trying to identify sources of funding, but I'm hoping, Melody, you may have some news.

>> Melody Tovar: We are still in the early stages of considering that, and we plan in February to come back to the Transportation and Environment Committee with a more comprehensive look at how we see trash control, including the homeless element. In talks with district staff we have been encouraged to look very carefully at the grant funding programs that they've recently announced as a high potential opportunity for how we might effectively co-fund that kind of endeavor.

>> Councilmember Liccardo: That's great, and I certainly hope we can do that and take advantage of it. I know that we have had legal concerns with regard to the use of our own storm water fees. And you know I hope that we do take a close look at that because it seems to me given the obligations we have under the I guess NPDES permit, with those obligations it seems to me that we should be able to find creative ways in which those fees clearly help us in satisfying our obligations under the permit, at the same time that they can help provide maybe a stable source of funding that grants may not be able to provide.

>> Mayor Reed: Board member Kwok.

>> Board Member Kwok: Thank you, Mr. Mayor. I want to go back to your slide regarding municipal regional permit. Melody, you mentioned that we just got our storm permit last year. Is that a five-year or ten-year permit?

>> Melody Tovar: They are five years.

>> Board Member Kwok: Five years. That does outline some requirement for specific pollutants and strategies and implementation. It is very, very costly, as you say in the slide. I presume that we have just finished the TMDL on trash, is that correct? Is that based on information from the TMDL on trash?

>> Melody Tovar: Technically for the Bay Area there is no TMDL or total maximum daily load study for the bay for trash. That is unlike other pollutants like mercury and PCBs where our regulators have chosen to take that strategy where you determine the waterway's ability to handle a pollutant. You come one what that threshold is and you require that all dischargers get to that level. In Southern California where they've done trash TMDLs that level has been zero. So fortunately so far our water board has taken a position that things need to change, they need change dramatically, and they've used the permitting system directly to set our first threshold of 40% reduction.

>> Board Member Kwok: But in the absence of any TMDL, the 40% threshold limitations is not based on data, is that correct, and is that the San Francisco Bay region, the body, is that being impaired by trash?

>> Melody Tovar: The bay is not declared impaired by trash. But about 25 creeks across the bay including Coyote creek and Guadalupe river are proposed to be designated as impaired by trash. And so they will require a regulatory response. And our water board so far has chosen to take this incremental approach, which at least the way they've written it in the permit, still ends in a 100% reduction from your collection system by 2022, which sounds similar to zero.

>> Board Member Kwok: But the permit, it doesn't specify any time line we have to have referred a reduction of 40%?

>> Melody Tovar: It does. It's a five-year permit, so all it can say is what you have to do in the next four or five years. That's the 2014 target of 40%. But it also says 70% by 2017, 100% by 2022, and we would expect that language to then promulgate through future permits.

>> Board Member Kwok: So it's very important that some strategies be developed in terms of funding.

>> Melody Tovar: Yes.

>> Board Member Kwok: Thank you.

>> Mayor Reed: Board member Wilson.

>> Board Member Wilson: Yes, I'm at the wastewater treatment plant and your master plan there. It's really commendable what you're trying to do there. And I have looked at it. I think you're doing some pretty good work. The only area I'm kind of concerned about is the one on the easterly boundary along the river corridor where you're talking about perhaps industrial development. I understand the value of that. I understand the need. That's prime habitat for burrowing owls and they're probably about 40 pairs left. And anything we can do to accommodate them, along with the other development that you're requiring, I think is important, it says a lot about our values.

>> Mayor Reed: I have a question on the mid Coyote map, trash catchment. I'm not sure I understand the trash catchment priority areas.

>> Melody Tovar: Mayor Reed, thank you for asking that, because I failed to explain them. So in addition to those hot spots and our endeavors to try and catch the trash, we have also taken a look at the area and identified what we may consider trash catchment priority areas. These have been evaluated based on land uses that we

think have a propensity for litter. Those would be schools, higher density housing, and a commercial-retail type areas. And so doing a land use analysis you come up with a map that looks this colorful, and the orange and the red being the medium and high priority areas respectively. And so looking specifically at the mid-Coyote area, which gets most of its drainage from the east, you can look to the right there and say those orange and red areas may be good candidate areas for us to look at if we wanted to consider end-of-pipe trash catchment or trash interception opportunities.

>> Mayor Reed: Has anybody been out with a net to see what comes out of the end of the pipes?

>> Melody Tovar: We have not. Putting nets on the end of outfalls is an interest being proposition. It's challenging because a lot of our outfalls are just pipes coming out into the creeks. So even to do the work to put in a stable enough netting type structure would be a significant project.

>> Mayor Reed: I was thinking of one. Because maybe I haven't -- I haven't thought about this stuff very much and I haven't been briefed on it but I can't believe all that trash in the creek's coming out of those pipes. I just -- doesn't seem feasible if you get all that trash out of the pipes and if we're focusing on the pipes there's got to be other major sources. Maybe it's the homeless encampments is what it is. It would be helpful to know where the majority of it is coming from, so we can focus on those areas. If it's all coming out of the homeless encampments, then let's not spend money on pipes. Let's spend money on homeless encampments. So that's why I wonder if anybody has done a study to try to determine the allocation.

>> Melody Tovar: We are working toward that. We are not able to go end of pipe so easily. We have installed in San José about 100 inlet screens, and so we put screens inside our catchment basins. And we capture the trash there. And we've had teams go out and remove that, and weigh it, and heaven help them, they've also taken it all apart and counted what's in there to understand what is comprised in our catch basins. And so we are gathering that information, and that's in part where this idea of confirming that retail and higher density residential does generate more litter. To your point about relative contribution of things other than our system, we are challenged by doing so. And so part of our hot spot assessment is to evaluate what we find in the creek and come to a better

understanding of how much of that looks like it came from an outfall versus has been deposited or dumped directly versus what's coming from our encampments. We do see by tonnage a lot more material coming from our encampments, and it's often big material, compared to the smaller litter.

>> Mayor Reed: Board member Santos.

>> Board Member Santos: Yes, Mayor Reed. Also March 29th will be our antilitter pickup the City of San José. We have been a partner now for the last five years and jointly we do a great job and I really appreciate the funding and the partnership but we're trying get all 15 cities involved. It's not about just the City of San José. It's the entire county. We do the coastal cleanup we do other things but again that date is March 29th. The City of San José takes the lead we all chip in and it's a great job and there's where we really address a lot of these issues best we can.

>> Mayor Reed: Another topic I was involved in severely years ago as a councilmember was allocating among the patch work of ownerships who was going to be responsible for maintenance of certain areas so that water district, city, Water District, city, we kind of divide them up in a more ration April way. Curious how that is working out in practice as we try to go about cleaning up the creeks and get the shopping carts identity and all the other things that we're doing.

>> Board Member Santos: Think it's going well, Chuck, to intervene. I know I worked the time we were in the Berryessa area, and you and I sat down and said why can't we have a better agreement. Out of that came that, and today I don't see any boundaries. I know I get many phone calls and I go, hey, if it's there. Pick it up, and we go do it. But the working with code enforcement has been tremendous for us.

>> Mayor Reed: Anything to add on that, Melody?

>> Melody Tovar: Just that the two staff teams do end up having to wrestle with that on a project-by-project basis, but they've been doing so fairly successfully. So far there's been plenty for them to do looking at just places where we collectively have either ownership or easement.

>> Mayor Reed: All right, Board Member Mann. Pull that microphone.

>> Board Member Mann: I'd like to see if some of you could talk to your guys's vision on getting these homeless encampments under control. Because I'm looking at this map here that you provided. I've gone along a lot of these creeks and it basically looks a graph of their villages. Because almost every star you can identify was a homeless encampment. You look at Thompson creek. I'd like to hear a little bit what the city's ideas in trying to deal with this homeless encampment. I think it would help to solve the puzzle of how we get rid of the trash.

>> Mayor Reed: Councilmember Liccardo, do you want to comment on that?

>> Councilmember Liccardo: Yeah, if I could just offer, we reached out to the downtown streets team which is a very successful nonprofit in Palo Alto that essentially engages homeless in doing basic maintenance in areas throughout downtown Palo Alto. The thought would be, can this model really be adopted? And the housing department working with destination home is very interested. And that is, that they would really use this as a means to providing incentives for homeless first to get paid to be doing a job and secondly to get them into traditional housing. Because often it's difficult to get that transition to get played. Often there are rules around housing relating to use of drugs and alcohol and often homeless don't feel safe in various situations where other homeless may be living in high concentrations and so forth. So trying to get over those barriers is part of the challenge. We see that as a potential way to be able to make progress on two fronts. The big obstacle of course is funding. And you know my effort really has been how can we maybe get a pilot project going? Let's identify 20 homeless individuals we know have been chronically living in the creeks and let's start there. And we know how much work it is, we've all volunteered, I'm sure in these creek cleanups, it's an enormous amount of work. But having a regular team of people actually engaged in the cleanup I think really makes -- can move the needle in ways that even these wonderful volunteer efforts can't.

>> Board Member Mann: Thank you Sam.

>> Mayor Reed: Anything else on that one? Board member Kamei.

>> Board Member Kamei: I just wanted to follow up on Councilmember Liccardo's information on using nonprofits. I know down in south county, we have one nonprofit organization that's been very, very successful in working with the homeless. And very, very basic, very simple you know, he works with them, so that they actually take out their trash. And you know he promises a hot meal and that's pretty much it. And that's all they can you know, that's all they can afford but I think that it's at least a means in which the trash accommodation out of the creek areas, and you know mine combining it with some traditional housing is very helpful. That's not always possible because you know, I mean, there are so many who need housing. But I think that working with the nonprofits has been very successful and hopefully there's something that perhaps could be a pilot to work on.

>> Mayor Reed: Councilmember Herrera.

>> Councilmember Herrera: Yes, I just had a question about cleanups. I know the City of San José is on I think a three year cycle with regard to neighborhood cleanups with code enforcement. And I'm wondering if and I don't think this exists now but I'm wondering if we could have the Water District, some creek cleanups occur confined of in parallel with those cleanups in various parts of the city so you could have creeks being cleaned up along with those neighborhoods? I know I was at one recently one area in my district and neighbors were coming up to me and asking me about cleaning up the creek and it's not you know it's not something I could just send people out into the creek. You know it needs to be coordinated with Water District and appropriate, you know, appropriate folks maybe even fish and game at times. I don't claim to know all the rules on this. But there's -- when people are out there doing a neighborhood cleanup they're in the mindset to clean up and pick up trash so I think we should leverage those activities. So if you have got cleanup going in a particular area I think that's the time to have neighbors who are willing, those who came up to me that day saying we would like to do a cleanup, we would like

to get some things out of the creek I think we should leverage those opportunities when people are thinking about cleanup if we could coordinate that with the Water District I'd be very interested in seeing that happen.

>> Mayor Reed: That would certainly be a perhaps an efficient way to deal with the trash. If we already have the cleanup organized and we've got 14 bins for the neighborhood, if we were to add a couple of bins it doesn't really add much to the cost other than just for the bins themselves. So that might be a way to get some efficiencies in doing that. Rosemary.

>> Board Member Kamei: For many, many years I was a proponent for our adopt a creek program, we provided the gloves, picked up the trash so I think it would be a very, very simple thing to try to coordinate those areas to be able to do that.

>> Mayor Reed: Board member Judge.

>> Board Member Judge: I was just wondering if anybody has a profile of these homeless folks because my experience, has been that you know, there's been hard core homeless on the Coyote and the Guadalupe as long as I've been on the board. And you know, we've even offered help and they didn't want it. But I think now it's a different profile. You know, I think these are newly homeless, and I mean I'd like to see some kind of a profile, so you know, there are people that you can help. And I'm happy that everybody here had kind of the point of view that that's what we want to do, you know, we want to clean our creeks but we want to be human beings.

>> Mayor Reed: I think we do have a profile as part of our annual survey. I don't think there's anybody here that's worked on that that could give you the answer now but we can get that information based on the surveys that we've done. Anything else on this topic? The next one would be trails, we'll move to that. Yves Zsutty and Brian Mendenhall.

>> Yves Zsutty: Good afternoon, with Parks, Recreation, and Neighborhood Services. Wanted to give you an update about the trails. San José is an award winning city for trail development and we do that with a lot of help

from the Water District. We recently received a transportation planning excellence award from the Federal Highway Administration, and that's notable for a couple of reasons. It came from the highway administration which supports the idea of trails in our community which is both a recreation and transportation. We'll be speaking in Charlotte in February about what we're doing in San José alongside with New York City. So we are getting a really good reputation out there. And we're getting the word out as well. I was contacted at noon today by Colorado asking for tips on how to develop a marker system based on our guidelines. And last week the CalTrans bike way coordinator contacted me to determine how they could use our specifications for reflective striping. So we're both doing great projects and also being a technical resource for cities around the nation. We've got projects in all stages of development right now. We've got about nine miles of trails being planned. These are along the Coyote creek trail system and these projects occurring because we work with agencies like the Water District, the permitting and regulatory agencies, neighborhood groups, we do that through community meetings and site field inspections. And we produce master plans that define what the project will look like in the future. We have seven and a half miles of trail under design. And this stage takes all of that information we gathered in the master plan, puts it into some engineer drawings that we can bid. And we plan to bid the lower Guadalupe which is 6.4 miles in the spring of next year and that will link Downtown San José to Alviso. That's one of the most popular commute routes so it reinforces the transportation nature of trails. The bay trail bridge will bring the San Francisco bay trail, a major regional system into Alviso and allow San José to start building onto that system and the other projects contribute to more recreation in South San José with the bridge project leading to a connection of three trail systems. We got about one mile of trail built or just about completed this year so far. Out on Lower Silver Creek, we use both the creek and the PG&E alignments out here in East San José to develop this trail system. So this latest portion was under PG&E alignment so there were no water issues. But it's very rewarding when you go out to a project like this that has just opened. And a community member came in to us and said she'd lived in the neighborhood for 25 years and she was so grateful that we had cleaned up the dumping ground and she was out there with a stroller and her twins walking along this landscape trail and it was inspiring to do more. And then on the Guadalupe river trail we're extending the trail out to Virginia Street and currently the Washington and greater Gardner area neighborhoods are geographically close to the Guadalupe river park and the 250 acres of park land out there. But the highway system prevents them from getting to it. You have to know where the opening is in the chain link gate to get into the trail system. So with this project we're bringing the trail

out to Virginia Street, there will be an architectural gateway there and I think it will be real interesting to see a large residential community all of a sudden have access to so much trail. And I'm going to turn it over to Brian Mendenhall of the Water District.

>> Brian Mendenhall: Mayor Reed, chair Santos, members of the council and board, I'm Brian Mendenhall from the Water District's water stewardship division. I'll continue our presentation by covering projects that the city and district coordinate on for -- on flood protection facilities. We're all familiar with the Guadalupe river trail. The next stages of that trail take us upstream towards Blossom Hill Road. And with those two trails you see there it's about a 1.3 mile stretch on the first will be working with the army corps to ensure that they leave intact the possibility for a trail along that stretch. And then, the district and city are coordinating for the second he reach there for incorporating a trail. The city is currently working on some special projects related to trails. First, the one that Yves mentioned briefly as milestone markers. With this, the city is looking at installing milestone markers along Los Alamitos and Claro Creeks. And what this does is it really ads markers that then can be added to the 911 system and so it really pinpoints a location along a trail for a pedestrian to use. And you know, this would mean using your cell phone perhaps to call in if you had an emergency. But it really gives a distinct location rather than trying to get your with its about you and figure out where you are, you actually have a number that would already be in the system if you would. So this really addresses uncertainty about trail names. It speeds deployment of some assistance and it provides a tool for record keeping for the city and other functions. The other special prompts is updating signage. The city is looking at new signs that make it safer trail use, and just clear and concise language to make the trails easier to uses. Along with those special projects, some general support that the city is building along for trails have to do with engagement, grant writing and data sharing. For engagement the city has really championed a few different event the Via Velo, a downtown event where San Fernando was temporarily closed allowing the access by pedestrian and bicycles. This path went to the Guadalupe river trail. Also, the San José bicycle classic is held every year as part of the Amgen tour of California. And bike-to-workday which most of us are probably familiar with is encouraged by the city, as well as the district, as an alternative transportation to work. For grants, the city has submitted 15 grants in fiscal year 2009-2010, four grants have been awarded and we're awaiting news on an additional six. Along with those, the Water District, as director Santos alluded to, has a new grant program, scheduled for coming out in January, and this will have to do, one part of that is for trails. And

then, for data sharing, the city conducts its annual trail count where it's trying to assess how many people are actually using these trails, as well as the national trail symposium, and California park and recreational society, where the city takes advantage of opportunities to present at conferences. So with that, we would just like to share with you that we feel the partnership between the city and the district has been very fruitful, as CEO Beau Goldie has announced has led to the construction of 21 miles of trail over the last eight years. That's a significant portion and is about a third of all of this, the district's trails that we've coordinated with, partners across the county over that same period of time. And in addition, that helps towards the City's Green Vision goal of 100 miles of trail of which 46 miles are still needed which the district hopes to help in implementing those remaining trail miles. And with that we'll take any questions.

>> Mayor Reed: Questions, board member Mann.

>> Board Member Mann: .

>> Thank you, Mr. Mayor. Brian,.

>> Brian Mendenhall: I believe Yves --

>> I think it will be good to be able to illustrate it as well.

>> Yves Zsutty: We can identify the trails and color code them, and projects that have been done outside of that relationship.

>> Board Member Mann: Okay, thank you.

>> Mayor Reed: I have a question on Slide 92, I think, that's the Coyote Creek trail, Highway 237 Astoria Road section, that looks like the section just before you get to Milpitas. What would that look likely if the army corps of engineers made us take out whatever trees they're worried about? Are they worried about all those trees because

there's a levee on the upper side with a trail on it I think and then there's got to be a levee someplace on the bottom side. Are all those trees coming out under the army corps standard?

>> Chris Elias: Mayor Reed, you are absolutely correct. That is a corps levee and they will ask us to take out the vegetation, all the trees out there.

>> Mayor Reed: So everything between -- levee to levee?

>> Chris Elias: Anything within the 15 feet toward the levee, in other words levee to levee, anything within 15 feet.

>> Mayor Reed: Even trees that are on the outside of the levee, outside of a trail would --

>> Chris Elias: Correct.

>> Mayor Reed: Because they are part of the levee, would have to come out.

>> Chris Elias: Correct. In some cases where we have homes very close to the levee, they plant trees in the back yard, and those will all have to go, as long as though are within 15 feet of the levee.

>> Mayor Reed: A lot of trees.

>> Chris Elias: A lot of trees, very costly, too.

>> Mayor Reed: Board member Mann.

>> Board Member Mann: Thank you, Mr. Mayor. Keep in mind, when myself and the chair and Director Kwok were in D.C., we have met with the undersecretary of the army corps, and the people in charge of the Pacific

region and they're under the same thinking that this one plan would not conform to everyone. So they're revisiting it now. So I mean it's -- yes, take it seriously but give them a little bit of latitude as well.

>> Mayor Reed: Board member Wilson. I'm sorry, I got one in front of you? Joe. Board member Wilson.

>> Board Member Wilson: I'm really pleased, what's happened in the -- in trails area. Ever since we opened up our levees and started cooperating and contributing to their construction cost. One part of it that is very important that we tend to overlook, is the feeder trails that come into it. Like three creeks trail. That's very important to people to be able to get to these trail areas. And I hope that we keep that in mind, how do people get from San José State, the Guadalupe trail? We put this type of thing into our planning. It's probably already there but it's good to know that people can ride their bikes or walk or run from these various places and get across town as well as down and up.

>> Mayor Reed: Board member judge.

>> Board Member Judge: What I was going to say is, that being the senior member of this board, at this point, Sig having retired, I am very, very aware of how the corps of engineers works, okay? And it hasn't changed over 24 years. I remember being in -- at a table with those folks, when they told us that they weren't going to do the Guadalupe park and the -- I mean, you know, I couldn't believe this, all this planning, it's over. And of course we had Norm and you know that, but I guess what I'm going to say can is that, it's a top-down deal. And meetings, you can have meetings forever. And it -- I'm -- anyway, that's been my experience and I think that we do need to work together and that we do need to you know, get a top-down strategy.

>> Mayor Reed: I have a question about the standard trail section now. I'm on a creek trail practically every weekend. And I was riding in the -- what I think is the upper -- I always get upper and lower confused, upper Coyote creek section, north of Morgan Hill before you get to the model airplane society landing strip. And there is a landfill closure in that area, I forget the name of the landfill, as part of that, the trail is being reconstructed. And when I saw that, it looked like a street section. It's very wide, it's got a trail, then it's got two or three feet on either

side for granite and then there's drainage and a pipe. And I don't know if that's just because it's somehow connected to the landfill or if that's the start trail section. Because the wider you get the more difficult it gets to get the land that we need, the more expensive it is to build. So I'm curious as to what is the standard trail section that we're trying install these days?

>> Yves Zsutty: We follow the county of Santa Clara trail design guidelines. And so our standard trail is 12 feet of asphalt pavement with two feet of crushed gravel on either side. So the 16 foot dimension is the total width. The section you're speaking of is within the county of Santa Clara's jurisdiction. So it-d there may be other circumstances that have caused them to put in a wider trail. But all new trails in San José are designed to that standard.

>> Mayor Reed: So that's the same standard we've been using for four, five years anyway, right?

>> Yves Zsutty: Yes, it is.

>> Mayor Reed: All right because I'm always worried about scope creep. Start with a trail this wide then it's this wide then that wide and it costs ten times as much as the trail we thought was pretty good.

>> Yves Zsutty: With the permitting environment, if we take out trees or shrubs we have to mitigate. There is the pressure on us to keep that trail a minimum width. But we feel that width is sufficient for multiuse, multiuse so we'll stick with it as long as we can.

>> Mayor Reed: So if we're taking out trees at the request of the army corps of engineers, what do we have to do to mitigate the fact that we've taking out the trees?

>> Yves Zsutty: That would be a good negotiating topic.

>> Mayor Reed: What agency is going to make us mitigate the trees that we took out that the army corps made us take out? That is another federal agency, right?

>> That's where the fish in, because there's not going to be any shade.

>> Mayor Reed: On trails, still, Councilmember Pyle.

>> Councilmember Pyle: I have a friend who is in the corps of army engineers, and he says it's long on army and short on engineer. Yeah.

>> Mayor Reed: Well, that's a good thing if you get to the top-down part. So we'll need to work on the top-down part I think with the Water District of course. Anything else on trails in this segment? Trails are good. We love trails. But I have -- I've come bee grudgingly very slowly and painfully to accept the fact that trails are really, really hard. They're really expensive and there's multiple layers of government and they're not all our friends and they're not trying to help us necessarily. So I want to thank the staff for staying in there, the fact that we've gotten 20-some miles in eight years is a lot. And I know it's taken a lot of work and a lot of funding and -- but persistence. Persistence. Especially with folks like the army corps is necessary so our staffs collectively have done a great job making some progress. But I know it's difficulty, I've just come to accept that as a fact. Less frustrating that way. I think we'll now turn to Joe Horwedel and Mark Klemencic are going to tell us what we did today. Is that what you're going to do, Joe? You're calling this the summarize the policy discussion?

>> Joe Horwedel: Ann Draper is playing the part of Mark Klemencic today as he is out sick. And Ann's going to start off. I'll start off, okay. For the first item, we only had the one question, that came up Mr. Mayor, that you asked about the water assumptions which was addressed as we went through the presentation about how our general plan and Water District plans are reconciled.

>> Ann Draper: In the water supply area there were concerns expressed about the fragile nature of the delta. And it was noted that 40% of our local water supply goes through the delta and therefore, we all need to be

concerned about the delta from many perspectives. There were statements that were made. That our community can no longer anticipate that we'll be able to provide all the water supply, all the demand like we had in the past. There are many challenges to that, to providing the water supply. Not only the supplies themselves and the uncertainty around the supplies themselves but also the infrastructure that we have here locally, as well as to the delta, that serves, stores and transmits that with the water supply. There was discussion that we need to focus more on developing our own local water supplies and reducing the demand through conservation. Switching to the flood protection side, there were concerns about the core's levee vegetation policies, and the city requested that at the time that you consider your legislative priorities, that you consider adding this topic to your legislative priorities. There was also concern expressed about affording new flood protection systems, particularly in the shoreline area.

>> Joe Horwedel: When we got to the item on creeks, habitat restoration and trash, was comment about as we're doing the plant master plan which will be looking at how do we accommodate burrowing owls in the area. The bay lands. And then most of the discussion was really around trash in the creeks, and how we can minimize that, a great deal of it related to is the trash coming out of the storm drain system or is it coming out of the camps that exist within the creek areas. Discussion around some potential pilot programs to try and engage the members of the camps to either pack out the trash that they do generate, as well as using those residents and their living in the creeks to go through and help clean up other trash that is in there. Essentially as a job. It was a suggestion about that we should look at our neighborhood cleanup programs and how can we go through and line those up with the trash cleanups in the creeks and could we go through and partner up around that. Question was asked about do we have a profile of the camp occupants and would the city survey pick that up. And that's something we'll chase back as a part of that. The comment about having the challenge of multiple agency ownership of land and make sure that our staffers collectively are thinking about the issue of maintaining our flood control facilities and getting trash out and less about who actually owns the underlying land underneath that. On the item of trails a suggestion about having the overall trail system mapped, and the contributions that the Water District has helped with, making those trails possible. And continued discussion around the impacts of the army corps policy on our trail system and from vegetation removal. And it was noted that we're making a lot of progress on creek trails but we also need to make sure that those creek trails are accessible to our residents and

businesses so that you can get to them. And lastly just a reminder that the trails are important, but we need to make sure that we're focused on building the trails that work the best and not overbuilding those.

>> Mayor Reed: Okay, that's kind of a summary. Are there any comments or questions on any of the topics that people want to bring out? Board member Kwok.

>> Board Member Kwok: Thank you, Mr. Mayor. There was some question on how we continue to improve the riparian corridor in terms of protection and I think you mentioned something about that will be addressed through the city environmental impact reports the process, the setback and so on.

>> Joe Horwedel: That's correct. We did have a discussion early on about the riparian corridors and making sure the EIR for the general plan update addressed the importance of riparian policies and design standards.

>> Board Member Kwok: Thank you.

>> Mayor Reed: Any other questions or comments on any of the questions we covered? Board member Kamei.

>> Board Member Kamei: Thank you. I just wanted to make a comment on the fragility of the delta issues. As we move forward this year governor Schwarzenegger decided not to put the bond measure on the ballot. But as we look at the future of trying to get reliable water supply, and how do we fix the delta, it really becomes critical that we don't just think that we can either use recycled water or conservation as the only measure of trying to look at future water supply. So that water supply, as Larry mentioned, still becomes important. And so for those of you who had been around during the peripheral canal days, there are some issues I think that some people here in Silicon Valley do not realize, and because we are south of Tracy and south of the pumping plant, we are also part of that south of delta water user. And so it becomes critically important that we don't think that the water just goes to L.A. That water also comes through San Luis reservoir and to Silicon Valley. Considering its 40%, we think maybe even up to 50% from outside the county we hope that as we look at solutions whether it's an isolated facility, through delta situation, or what have you, we hope that the city, as partners, also stay engaged in helping

us try to find a solution. Because that water is necessary for future growth here, even though things have been slow I think for the future we're still going to need it. In the late '80s when we first received the Central Valley project water we got it just in time. Because of the drought. And so as we look forward, yes, you know an increase in managing water in the -- in the county is very critical, with recycled water and, you know, we've done a lot for conservation and we will continue to be very aggressive in that. But I also think that you know, we need to realize that that water in the delta is also very important to us.

>> Mayor Reed: Councilmember Herrera.

>> Councilmember Herrera: I just wanted to thank both staffs for the presentation, and I appreciate the opportunity to meet with the district board and understand these issues better, and really appreciate the effort in Washington on the board's behalf to support us on that levee situation. I'm glad we'll be joining forces with you. So thank you very much.

>> I just wanted to piggyback on what Rose was saying. We have water that we bank. I don't know, I think it's up over 200,000 acre-feet. Is that right? And it's -- but it's banked in Bakersfield, okay? And so I mean the way we use that is the people south of Bakersfield, we take their allotment, you know, prior to getting to the pumps, and then they take the same out of this bank. It's an underground bank. And I mean, that once again, you know, that big I guess, you know, amount of water that we were showing, you know, it doesn't -- it's gone. I mean if something happens in the delta. So we're so dependent on that, I just want everybody to understand, and I mean, if the dell da at a goes everything goes, the ecosystem, it's not -- and you can't declare an emergency. It's not like the Bay Bridge. You know, if that thing goes, it's you know, ten years to put it back in order. So I just -- there's my sales pitch.

>> Mayor Reed: Anything else from the board or council? I do have some members of the public who wish to speak. I think we'll take that testimony at this time. I'd like to welcome a couple of board members-elect who want to speak, Brian Schmidt and Linda LeZotte.

>> Good afternoon, Mr. Mayor, Mr. Chair. And I really appreciate this meeting today, it's been very informative. And one issue I'd like to bring up is that of environmental review of development near streams. That's an issue of joint concern by both body bodies. I was very encouraged about Laurel Prevetti's discussion of implement standards looking at the new standards that are discussed in the draft general plan, and in particular I know Councilmember Pyle's office has been working with these issues along with Councilmember Kalra and the mayor's office. I'm real enthusiastic about that. There is one piece of unfinished business from the draft general plan and general plan task force. Almost exactly a year ago the general plan task force referred to staff the issue of who controls the issue of environmental review of issues or development near streams. Right now what San José does is it has the developers hire a consultant who prepares the initial environmental documents. Most other cities hire the consultants themselves. And then have the developers pay for that. So the general plan task force, that referred that issue to staff, staff said they would bring it back at some future point. So I'm really looking forward seeing what comes up with that. So thanks everybody for doing this.

>> Good afternoon, mayor and board members and councilmembers, Linda LeZotte. Coming in here, I felt like I was at a wedding, I didn't know whether to sit on the bride's side or the groom's side. Because so many years I sat as a councilmember here and going forward I'll be hit sitting as a board member. I want to thank staff at both the city and the district for the wonderful presentations, continue to work with my colleagues at the city council. I did have one question for Beau, you talked about the joint exercise being held at Anderson dam. I wonder if there's a report that's going to come out how that exercise went?

>> We don't have an actual report that's coming out. That was a joint exercise that included Morgan Hill, Gilroy, San José, and it was an exercise we completed in August. And the issue was what would happen if there was bay or Anderson reservoir. We have reported informs out to our board but we don't have a specific report out on that unless Mike Hamer is in the audience can correct me. No, we do not have an actual report on that.

>> Mayor Reed: One more request, Eileen McLaughlin.

>> Good afternoon, Mayor Reed and director Santos. Council and board members. I'm representing the citizens committee to complete the refuge. I'm also a member of the community advisory group for the water pollution control plant. And through that activity I've become better informed on the hydrology of the area involving and adjacent to the water pollution control plant. And in consideration of flood protection and flood plane, the idea has come forward that it might be good to consider part of those buffer lands as potential flood plane for Coyote creek. And that's a discussion that to my knowledge wasn't discussed early in the planning process and has just been this year to my experience. And I would like very much to see that considered. Certainly, the potential and feasibility needs some study. And I would hope that together that is something that could be put forward so those lands could be possibly considered for improving flood protection along Coyote creek. Thank you.

>> Mayor Reed: Thank you. Anybody else wish to address the joint meeting? I think we're just about done. I want to see if board chair Santos has any closing comments he wants to make.

>> Board Member Santos: Chairing of the board of directors we want to say to both staffs thank you very much for your support, we really appreciate that. We appreciate the hospitality of Mayor Reed, you and the council is have given us here. As elected officials come and go the issues and challenges don't, they continue and so I think this forum is one of many to address and speed up these areas so I really recommend that we continue this and I really appreciate the time.

>> Mayor Reed: Thank you. Let me echo that just by thanking the staff for continuing to work on this over the past year since the last meeting we've accomplished a lot. I know it's taken a lot of staff work but that's how we get things done. We've got a lot to show for the collaborative effort over the last eight years we've been doing it. I want to thank the board members who have been part of that and who are leaving the board. We appreciate your work and looking forward to new board members. With that I think we are done. That concludes our agenda, so we are going to adjourned.

>> Board Member Santos: We adjourn.