



CITY OF
**PALO
ALTO**

Storm Water Management Oversight Committee

Thursday, February 4, 2021
1 pm to 3 pm
Special Meeting

*****BY VIRTUAL TELECONFERENCE ONLY*****

<https://zoom.us/join> Meeting ID: 990 9847 5635 Phone: 1(669)9006833

Pursuant to the provisions of California Governor's Executive Order N-29-20, issued on March 17, 2020, to prevent the spread of Covid-19, this meeting will be held by virtual teleconference only, with no physical location.

Agenda posted in accordance Government Code Section 54954.2(a) or 54956.

Committee Members Present: Bob Wenzlau, Dena Mossar, Hal Mickelson, Peter Drekmeier, Ron Owes, David Bower, Marilyn Keller

Committee Members Absent: None

Public Members Present: Jerry Bradshaw

Staff Present: Karin North, Michel Jeremias, Jamie Perez, Vicki Thai, Isabel Zacharczuk, Joanna Tran, Pamela Boyle Rodriguez, Rajeev Hada, Loretta Olmos, Julie Weiss, Holly Boyd

PUBLIC COMMENT

Members of the public who wish to participate by computer or phone can find the instructions at the end of this agenda. To ensure participation in a particular item, we suggest calling in or connecting online 15 minutes before the item you wish to speak on.

No public comment.

Call to Order (5 min) 1:06 pm by Chairperson Mickelson

Oral Communications (5 min)

Members of the public may speak to any item NOT on the agenda. A reasonable time restriction may be imposed at the discretion of the Committee Chair.

No oral communications.

Old Business (5 min)

1. Approval of Minutes from the October 8, 2020 Storm Water Management Oversight Committee Meeting (5 min)

i. Minutes approved: 1:07pm

New Business

2. **Staff Presentation on FY 22 Budget Process Update and FY 20 Actuals.** (25 min)

- **Jamie Perez:** At this point of the year, the City is still working on FY22 budget and proposing changes/adjustments. No proposed for review. Review FY20 Actual Expenditures and letter to Council in staff report
- **Jamie Perez opens floor for comments after reviewing fiscal year 2020 storm drain fund expenditures**
 - **Hal Mickelson** noted grammatical error, “we have reviewed the expenditures for Fiscal Year 2020 and compared **them (not it)** with the provisions...”
 - **Bob Wenzlau** (question on 2nd sentence on 1st paragraph), “approved 2017 ballot measure and proposed budget”. Is this a legacy sentence or how is it related to what we’re doing here.
 - **Hal Mickelson**- 2017 ballot measure language mandates what we are doing because 2017 promises oversight.
 - **Peter Drekmeier** answered it mentions specific projects that committed us to do certain tasks. Funding is going to the projects that was promised to the voters.
 - **Hal Mickelson** - key is to what commissioners does is to review the expenditures and compare them to the promises made in 2017.
 - **Dena Mossar** suggested text change: “the approved 2017 ballot measure *and identified projects described therein...*”
 - **Jamie Perez:** the proposed budget is not provided for FY 22. We can adjust the sentence to what was provided to Commissioners.
 - **Karin North:** City planning to give proposed budget in April for review
 - **Hal Mickelson** suggested adding to the end of the paragraph “it is anticipated that the FY 22 budget will be presented to this committee at the next meeting”
 - **Ron Owes:** suggested text “the revenues were sufficient for the expenditures”
 - **Hal Mickelson** – concerned by suggested text. We cannot make accounting assertions. Our mandate is to state that the money is spent on nothing else. We are not mandated to say it is operating on a balance basis.
 - **Dena Mossar** – thinks comments are valid and the letter is self-explanatory. Staff report shows numbers with no deficits. Agrees with Hal. Sees this as adequate as a transmittal document
 - **David Bower** seconds Dena’s comments. High level review and the attached budget explains all the subtleties that Ron is talking about.

- **Dena Mossar moved approval and Davin Bower seconds approval.** All committee members vote yes.
- **Jamie Perez** continues staff update with 2022 Budget Process Update
 - Staff in progress of developing FY22 budget and will bring proposed budget next meeting for committee review.
 - **Perez shows overview of what Staff are bringing forward for City leadership:**
 - Adjustment to SWMF – based on Dec – Dec CPI, 2% increase added to SWMF, subject to Council approval
 - Anticipated adjustments: base programs – general increases. Includes allocated charges from other parts provided by City of Palo Alto (salary, benefits, etc)
 - No changes to GSI/innovative, and maintenance programs
 - Capital – only changes to salary and benefits
 - **Bob Wenzlau** brings up new topic related to public art and green infrastructure. Asks if committee and staff would have discretion to move up or down.
 - **Karin North:** Utilize existing budget for anticipated costs. Bill existing allocation of money instead of asking for a new request
- **Jamie Perez** continues updates
 - FY20 Actual spent specifically for GSI program
 - GSI Plan implementation \$0 – funding was committed to a contract, but due to timing last year City was not able to get contract in place so it was re-appropriated to FY21
 - **Karin North:** Staff did not see a lot of people utilizing rebate program this past year but noted that staff increased outreach. Asks commissioners to share program info with their contacts.
 - **Peter Dreke-meier-** brought up that rain barrel information and other rebate information on Valley Water website not easy to navigate.
 - **Pam Boyle Rodriguez:** Responds that Staff reached out to Valley Water to update website language to be more user-friendly, but due to their work with other cities, Valley Water is unwilling to update website.
 - **Hal Mickelson:** has contact from Valley Water and suggests going on a call with Pam to ask website question.
 - **Dena Mossar:** Agrees with Peter and brings up concern that public will blame the City and suggests to not partner with Valley Water
 - **David Bower:** agrees Valley Water website is complicated
 - **Pam Boyle Rodriguez:** Partnered with Valley Water so that residents don't have to go through two processes. Valley Water would only agree if residents would go through their

process and then Valley Water coordinates with City.

- **Bob Wenzlau:** met with Staff to review Palo Alto website and the progress on the Palo Alto side is improved. He also talked to Palo Alto hardware as a citizen to set up part of the store as a “rain barrel” section for all the extra equipment (but no room to hold physical rain barrels). Hopeful over the next months that PA hardware can order the rain barrels to make residential pickup of supplies easier. Suggestion to store barrels at MSC and get plumbing somewhere else.
 - **Jamie continues update on Planned CIP FY 2020 projects**
 - **Hal Mickelson** clarifies the three FY21 projects approved by the budget.
 - **Ron Owes:** Is there a budget for uncertainty? (drought; high flows)
 - **Michel Jeremias:** For emergencies, part of the ballot measure goes into operation maintenance (separate bucket for emergencies). For any rehab (i.e. if existing lines break unexpectedly) City also has an ongoing routine for maintenance
3. Staff Presentation on Capital Improvement Program Projects (Related to FY21 Budget) (10 min)
- **Michel Jeremias introduce Staff that will recap projects that were worked on in 2020**
 - **Vicki Thai:** Loma Verde Trunk line Project completed on 12/4/20 (on schedule). Cost \$2.3 mil and completed within budget. Some existing pipes remained due to field conflicts. In response, a second storm drain line was added parallel to existing pipes. This increased the capacity of the storm drain system and acted as a backup to the functioning pipe. This also minimized off-haul and recycling quantities.
 - **Rajeev Hada:**
 - 1st project: Storm Drain Box Culvert Repair (Oregon Expressway) completed 12/22/20 and cost \$197k (storm rehab and replacement project). A few crack caused by a collision that caused leakage and needed to be fixed. Fiber wraps were used to repair cracks and provide extra strength to box culvert.
 - 2nd project: Corporation Way and West Bayshore Rd Pump Station and Trunk Line Upgrades. High priority project on Storm Drain Master Plan. Flooding on East Bayshore caused by trunk line being undersized and gravity flow line towards creek not working properly. To address this, install pump station on E and W Bayshore Rd. Project issues: locating of site of stations and coordinating with bicycle and pedestrian bridge project. Design

and construction documents for both projects will be complete by June 2021. Locations will be on Google property.

- **Vicki Thai:** Storm Drain Rehabilitation and Replacement Project – upcoming project for this year. Goal is to replace various sections of pipes throughout City that aren't in good condition and have been compiled. Operations created a rating system for which pipes need to be replaced urgently. Over 60 locations throughout the City. This project may be broken down into several phases because we cannot fix all 60 locations at the same time. Design drawings are in progress.
- **Michel Jeremias:** To reduce cost of projects
 - Rajeev's projects were designed with both pump stations together by one consultant. Going out to bid with both projects and award the project to one contractor with different timelines. Or independently if the bids are too high.
 - **Peter Drekmeier:** is there coordination with other departments when trenching is done to save resources?
 - **Michel Jeremias:** Yes, coordination is done with other utilities groups (bimonthly meetings to talk about upcoming projects to see if any overlap).
 - **Bob Wenzlau:** expressed concern regarding shallow groundwater contamination. Pump stations may have construction dewatering – and wants to be sure to consider its impact on groundwater plumes.
 - **Michel Jeremias:** during construction, Staff will be sure equipment will be in place in case they need to dewater. But these wet-well will be standalone. Wet-well will be forced to remain dry which will eliminate the need for a long term groundwater dewatering station.
 - **Ron Owes:** Consider history of structures that were impacted in the past because a contractor depressed the groundwater level and it impacted surrounding structures.
- **David Bower leaves meeting**

4. Staff Presentation on GSI Funding Analysis and Discussion of Subcommittee (45 min)

- **Consultant Jerry Bradshaw from SCI (public finance firm focused on public infrastructure funding): Funding Analysis presentation**
 - Follow up to 2019 memo for a consultant to leverage the stormwater ballot measure to pay for additional construction and maintenance of GSI.
 - Project background 2017- stormwater fee reauthorization and 2019 GSI plan was accepted.
 - This project 2020-2022 will analyze specific funding options and gather input from Staff, SWOC, and City Council. Project status-workplan and staff interviews is complete. Next step is to form a working group with SWOC members.

- Stormwater Fee designated ~7% for GSI and Innovative Programs. Public and private regulated projects will be primary focus of GSI Plan
 - **Staff interviews** to understand responsibilities and get an idea of what the costs and resources will be. (26 staff across 5 departments). **Feedback heard:** GSI needs to evaluate CIP for feasibility.
 - **Feedback from Operations and Maintenance:**
 - May require more funding than actual construction
 - Already 10+ projects done, gaining good experience
 - Several divisions responsible from taking care of different GSI projects.
 - No maintenance/guidance manual
 - Need for specialty methods, training and equipment.
 - O&M uses contractors
 - Challenges:
 - GSI will be a small sub-component in addition to all the other components project managers need to think about.
 - Design challenges (clay soils); irrigation (expensive and may only be needed until the native plants are established) operational (i.e. permeable pavement - what is needed to maintain this?) green roofs (maintenance); replacing soil/plants; administration (inspections needed for CIP projects); grant attainment is difficult for Palo Alto; non-profits have wage requirements.
 - Opportunities: CIP can include fund maintenance; O&M experience can inform maintenance manual and future design
 - Private Development: Largest source of future GSI and least control by City (regulatory). Opportunities include looking for partnerships with developers and flexible implementation projects. Needs to be added in the ordinance.
 - Creative Funding (does not bring new money into the process but reapply money that is already there. Trying to make the money we have go further): in-lieu fees, alternative compliance, credit trading, and partnerships.
- **Pam Boyle Rodriguez introduces next steps and forming a working group**
 - Internal feedback was provided through Staff interviews. Next step is to work with Stormwater Oversight Committee as a connection to the residents. Working group will meet monthly (next 3-4 months) and end of the year to read draft memo and provide feedback. Time commitment will be a few hours per month. Workgroup will provide information to the public through Stormwater Oversight Committee. Pam can provide copy of funding analysis for further details

- **Karin North:** Working group will be named "GSI Funding Analysis Subcommittee" (SWMOC Small Funding Analysis Subcommittee). Subcommittee will avoid any Brown Act issues.
 - New members: David Bower, Dena Mossar
- **Hal Mickelson noted Jerry's report stated** "asking property owners for additional funding is not a priority option at this time." Hal wants to clarify that no one on the committee is asking anyone for money and the City should not be asking anyone for money.
- **Motion:** Commissioner Hal Mickelson moved, seconded by Commissioner Dena Mossar to establish a GSI Funding Analysis Subcommittee that would review funding efforts related to green stormwater infrastructure capital projects and operations and maintenance, including reviewing draft documents as well as providing input on types of GSI funding. The motion is to authorize and support sending commissioners from the SWOC committee to be a working group to work with the consultants on this issue of additional funding for GSI, without prejudging the issues the working group may make to this committee. The motion passed, with Commissioners Bob Wenzlau, Dena Mossar, Hal Mickelson, Peter Drekmeier, Ron Owes, David Bower, and Marilyn Keller voting in favor.

5. **Staff Update on Municipal Regional Stormwater Permit Renewal (10 min)**

Item postponed to next meeting.

Committee Member Comments and Announcements (10 min)

6. Discussion on Neighbors Abroad project in Palo Alto
 - **Bob Wenzlau opened the floor with a project for the Stormwater Oversight Committee to consider for motion:**
 - Evaluate a \$10,000 use of fund for public art to support a project to install one or more murals about water conservation or green infrastructure. This would support the artists, their materials, and preparation of the site, as well as a compendium exhibit after the work is complete. This could flow through Neighbors Abroad to the artists. Also, to solicit the engagement with the Art Center and Public Art Commission to shape this effort.
 - Neighbors Abroad is supporting a project through Vidas y Suenos and Isla Urbana to build rainwater capture in Yaxe, a village near Palo Alto's sister city Oaxaca, Mexico. The project would build water tanks that would accept water delivery as well as rainwater capture. Community education augments the engineering improvements. One part is art, where murals will be made by local artists to teach about water and water infrastructure. In Yaxe, approximately 20 water tanks would be installed and then be painted with murals

- Bob Wenzlau asked Palo Alto Hardware to "host" the public art mural on their wall facing Alma. The concept would be for a local artist(s) to come from Oaxaca to paint a mural teaching about water infrastructure and conservation. Oaxaca is famous for her murals and public art. The targeted time frame is Summer 2021. The tank project, supported by Neighbors Abroad, would occur in Oaxaca about April 2021. Suggestion to use existing outreach funds and City Staff to work with Neighbors Abroad and Public Art Commission to make this happen.
 - **Pam Boyle Rodriguez** - reached out to Elise Demarzo from City Art Program Group to learn what will be involved in this process. Feedback from Staff was that there are a lot of legal requirements associated with public art. City program is working on a policy regarding murals and found that artists are protected by federal and state rights. Murals cannot be painted over by the property owner or anyone else (DE exception) and the mural cannot in any way represent or support the business. Policy is on the Public Art website. To remove the mural: the property owner will need to submit a request to the Public Art Commission, a notice must be placed on the mural for up to 90 days, and a letter must be sent to the artist. City of San Jose currently experiencing lawsuits. Due to the complexity of murals, the City is starting a pilot project with a mural made of aluminum placed on Cal Ave.
 - This is a complicated process for the current location. Suggested ideas: regional approach is to work with a local artist and not someone from another country. Demarzo suggested utilizing local artists to paint rain barrels for display as an art exhibit and selling them to residents on publicly owned land. Local artists can apply for a grant to support this work. An artist from Oaxaca can lead a class about how to paint rain barrels. Artists will need to receive prevailing wages for what someone local would receive.
 - **Motion:** Commissioner Hal Mickelson made and Commissioner Dena Mossar seconded the following motion, "Bearing in mind and subject to limitations on the time and resources of staff, the committee supports staff working to explore ways that art can be used for stormwater management outreach, using existing funds, including possible collaboration with the Public Art Commission and groups outside city government, including (but not limited to) Neighbors Abroad". The motion passed, with committee members Marilyn Keller, Dena Mossar, Peter Drekmeier, and Ron Owes voting in favor and member Bob Wenzlau abstained.

Tentative Agenda Items for Future Meetings and Review Action Items (5 min)

Next meeting is scheduled for April 1, 2020

Adjournment

Meeting adjourned at 3:28 pm.

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 - B. You may be asked to enter an email address and name. We request that you identify yourself by name as this will be visible online and will be used to notify you that it is your turn to speak.
 - C. When you wish to speak on an Agenda Item, click on "raise hand." The Clerk will activate and unmute speakers in turn. Speakers will be notified shortly before they are called to speak. When called, please limit your remarks to the time limit allotted.
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