



CITY OF  
**PALO  
ALTO**

# Storm Water Management Oversight Committee Minutes

**Thursday, April 1, 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, and Marilyn Keller

**Committee Members Absent:** None

**Public Members Present:** Joe Teresi

**Staff Present:** Karin North, Joanna Tran, Pamela Boyle Rodriguez, Loretta Olmos, Julie Weiss, Holly Boyd, and Michelle Nelson

## **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.

Call to Order (5 min) 1:03PM

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 comments from members of the public.
- **Commissioner David Bower** thanked **Commissioner Peter Drekmeier** for including committee on his work with the Bay Area Water Initiative.
- **Commissioner Hal Mickelson** rearranged agenda to first cover comments/issues raised from Wednesday night's committee member training

## Committee Member Training Comments (10 minutes)

- **Commissioner Hal Mickelson** – Handbook for City Boards/Committees/Commissions requires the preparation of a workplan. SWOC need to generate a workplan with the reports that are needed to be reviewed and an affirmation that the spending is made within the terms. (*Agenda Items 1-3*). Other part of workplan is to look for opportunities and incentives to promote green practices and green infrastructure (may cover 2/3 of a page in workplan).
- **Commissioner Hal Mickelson** – asked for two volunteers to form a subcommittee to compose a workplan and to schedule a short special meeting with this group in 3-5 weeks to approve the workplan. *Note: this year the workplan is due April/May, and in future years Feb/March.*
- **Commissioner Ron Owes** – During the meeting it was discussed that there were many conflicts of interests in some Commissions and this should be stated in the workplan. Members should be qualified and not have any special interests of their own.
- **Commissioner Hal Mickelson** – Requested volunteers for a two-person workgroup who will work with City Staff Karin North in developing a workplan. A short special meeting will be scheduled to approve of the workplan.
  - **Commissioner David Bower** makes the motion and **Commissioner Dena Mossar** seconds.
- **Commissioner David Bower** distinguished this is an ad hoc subcommittee (less than one-year and does not require notice for meetings). City attorney distinguished this ad hoc subcommittee is different from a standing subcommittee. **Motion to form an ad hoc subcommittee with two people that work with a City Staff.**
  - All Commissioners agree to form a subcommittee.
  - Volunteers to be on subcommittee: **Commissioner Hal Mickelson and Commissioner Bob Wenzlau**
  - **Commissioner Hal Mickelson** read comments from the two training sessions. "What is a Council liaison?" Council Liaison is the elected member of City Council that wants to liaise with the Committee.
    - **City Staff Karin North**– currently do not have a Council Member assigned, but can put in an ask in the workplan.
    - **Commissioner Hal Mickelson** – requested to add in the

workplan “we are eager to have the involvement of a Council Liaison at an early meeting.”

- **Commissioner Hal Mickelson** - Another comment raised in the meeting, “City Utility Commission has an overlapping jurisdiction with SWOC. City Utility Commission reviews the budget for each of the Utility funds, and SWOC is a utility fund. Do we need to ask the chair of the Utility Commission or a staff member for the Utility Commission on how to sort this out?”
  - **Commissioner Ron Owes** – stated the Utility Commission meets monthly
  - **Commissioner David Bower**- commented the Historic Resource Board liaises with the Architect Review Board and it is important to note that SWOC should not be overwritten by Utility Advisory Board, but also need to follow up with Committee with any changes.
  - **Commissioner Bob Wenzlau** – This issue should be clarified in the workplan to bring it to the attention of Council
    - **Commissioner Hal Mickelson** – will send an email to City Manager Ed Shikada, City Staff Karin North and copy **Commissioner Bob Wenzlau**, noting this overlap.
    - **Commissioner Dena Mossar**– commented that SWOC is not a committee with budgetary authority, but just oversees the budget to make sure spending is being done properly.
      - **Commissioner Hal Mickelson**– Confirmed the two charters do not overlap.
    - **City Staff Karin North**– Clarified stormwater management fee is not typically commented on during Utility Commission meetings. Stormwater management fee is bundled in with all the rates and since Utility charges the rates, stormwater is included. All utility rates are discussed at the UAC meeting. Staff report going to Finance Committee on April 20<sup>th</sup>. Place in the workplan the expectations that UAC knows about the rate increase and if any changes happen to communicate to SWOC.
- **Commissioner Bob Wenzlau**—commented that the training on microaggression was a good/important part of the training
- **Commissioner Hal Mickelson**— will send out a copy of the Rosenberg rules of order to replace Robert Rules of Order. Will also confirm statement from the Committee Chairs meeting with Molly Stump that if a motion has a second, then a record is needed of all Committee member names on “yes” and “no” votes. Cannot record

that the motion was passed with a majority.

- **Commissioner Bob Wenzlau**– commented on the need to execute the handbook but questioned what the methodology was and what needs to be signed.
  - **Commissioner Hal Mickelson** will follow up with answer.
  - **Commissioner Marilyn Keller** commented a page is signed electronically (page 4 or 5) and submitted.
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- **Commissioner Marilyn Keller**—commented on previous UAC discussion that that not much was mentioned regarding stormwater budget in the past
  - **City Staff Karin North**— UAC has no authority over budget, but because rates are being discussed, it is added to the meeting.

#### Old Business (5 min)

1. Approval of Minutes from the February 4, 2021 Storm Water Management Oversight Committee Meeting (5 min)
- Updates made and approved.

#### New Business

2. Staff Presentation on FY 22 Proposed Budget and Obtain Approval from Committee (35 min) **City Staff Karin North presenting for Jamie Perez**
  - Stormwater fee revenue proposed increase 2% and aligned with ballot that passed and subject to Council approval.
  - Operating anticipated adjustments in base program (general increases, fee revenue alignment), no changes in maintenance and GSI and innovative projects.
  - New: Capital includes all proposed projects in the ballot, and this year proposed recurring project to fund GSI projects and incorporate GSI features into other City CIP projects.
  - Overview of proposed budget- revenue collected went up slightly every year.
    - Proposed revenue is around \$8mil
    - No capital update at this meeting.
    - Loma Verde project is completed
    - Reoccurring repairs to storm drain system.

- **Commissioner Peter Drekmeier**- question on the deficit in the years 2019-2022
  - **City Staff Karin North**— City borrowed money and need to pay off by FY 2024.

***GSI Budget Plan (City Staff Karin North)***

- **Commissioner Bob Wenzlau**—Council is planning on scaling back CIP projects back by 25%. How will GSI be managed when Council is scaling back City budget?
  - **City Staff Karin North**— Stormwater money can only go to stormwater funds, specifically green stormwater infrastructure. However, Council may propose something else.
- **Commissioner Peter Drekmeier**—In our report to Council do we explain the true-up issue to preempt any issues about the deficit?
  - **City Staff Karin North**— Yes
- **Commissioner Ron Owes**– Will the high number of large projects affect City revenues?
  - **City Staff Karin North**— Staff will confirm and report back at the next meeting
- **Commissioner Ron Owes**—Will there be stormwater impacts from these large projects that have wall to wall concrete and no setbacks?
  - **City Staff Pam Boyle Rodriguez**– There is a process in place where City stormwater team reviews all projects, except small home improvement projects. Staff confirms all projects comply with stormwater permit and no sediments erode offsite. All projects must integrate stormwater management within that project.
- **Commissioner Peter Drekmeier**—San Francisco has a non-potable water reuse ordinance where new developments over a certain size capture stormwater for onsite use and require recycling of water onsite. Committee may recommend this to the City in the future as the “one water” concept pulled together in one ordinance.
  - **City Staff Karin North**– staff is already looking into the concept of “one water approach” with the Utilities Department. The San Francisco ordinance and requirements are different because there is a combined sanitary sewer and stormwater system. However, Palo Alto staff are looking into how to capture stormwater and repurpose it, all of which is described in the GSI plan.
  - **City Staff Pam Boyle Rodriguez**– staff is also planning on updating the stormwater ordinance next year. Staff will provide an update of this in a future meeting. Staff is waiting

for new permit to come out for RWQCP to do the ordinance all at once.

- **Commissioner David Bower**— requested to add Stormwater Ordinance to the agenda of a future meeting.
- **City Staff Pam Boyle Rodriguez**— Staff is doing a large marketing approach for the rebate program when the website is live. Ads will be live around April, and a UBI will be sent out in partnership with Utilities Departments.

3. Staff Update on GSI Funding Analysis Workgroup (5 min)— **City Staff Pam Boyle Rodriguez**

- Staff is working with a consultant to determine best way to move forward and will reach out to the committee members that volunteered to be on the workgroup. Meetings will be 1-1.5 hours long.
  - The small committee workgroup will discuss funding options for the fee.
- **Commissioner Hal Mickelson**—Workgroup will be a “Temporary Ad Hoc Committee” (less than one year)
  - New Ad Hoc Committee members: **Commissioners Dena Mossar and David Bower**
    - **Commissioner Dena Mossar** term expired and is not sure if she could be on committee.
      - **Commissioner Hal Mickelson**— Workgroup can co-opt nonmembers
      - Staff to confirm with City Clerk Office if **Commissioner Dena Mossar** can participate in Ad Hoc Temporary Subcommittee as a non-committee member and a “co-opted former committee member”
    - **Commissioner Hal Mickelson**—“We are confirming as part of this discussion that the members of this workgroup will soon receive possible dates and structure moving forward. The workgroup members are David and Dena, subject to staff confirming with the City Clerk that members can participate as members of the public and a co-opted member of the committee that is a former member”

4. Staff Update on Municipal Regional Stormwater Permit Renewal (10 min) **City Staff Pam Boyle Rodriguez**

- Current permit expired last calendar year and was extended to July 2022 because update of Permit 3.0

- Draft is out and staff at cities countywide are providing comments
- Draft permit language is more stringent with more requirements. Once made public, City staff will come back to SWOC and provide details on permit. Through discussion with the Water Board, Staff are hopeful to adjust the language to be more feasible for the cities.
  - Tentative Order Release is when the permit will be made public: ~July 2021 (early summer 2021).
    - Environmental groups and the public can provide comments to members of the Water Board
- July 22: permit becomes effective.
  - June meeting: staff will bring this back to Committee and open discussion to adjust resources accordingly.

#### Committee Member Comments and Announcements (10 min)

- **City Staff Karin North**– staff announcement: Assistant Public Works Director Phil Bobel will be retiring and work part-time for the City. Last day is May 7<sup>th</sup>.
  - **Commissioner Peter Drekmeier** - campaign to get the RWQCP named after Phil or Embarcadero Way. This would be a City decision (2 or 3 Council members will write a Colleague’s Memo). Peter will talk to Bob and brainstorm an idea to bring up with the committee.
  - **Commissioner Hal Mickelson**—add this topic to the next regularly scheduled meeting, not special meeting.
  - **City Staff Karin North** – Resolution for Phil Bobel will be May 3<sup>rd</sup>
- **Commissioner Hal Mickelson**— announcement to sign form that Commissioners reviewed handbook and will send out Rosenberg Rules of Order.
- **Commissioner Peter Drekmeier**– commented on news of Biden/Harris infrastructure package; are staff thinking about this and how Palo Alto can receive funding for projects?
  - **City Staff Karin North**– staff are aware and are looking into how to capitalize on this. Most funding will be for business revitalization. If more information available, will add this topic to the next regular meeting agenda.
- **Commissioner David Bower**— requested for a later in the afternoon meeting

- **City Staff Karin North** – will send an email request to Commissioners for Thursday May 6<sup>th</sup> at 3pm to discuss the chief agenda item, approval of workplan
- **Commissioners reviewed Committee Memo on FY 2022 Proposed Budget**
  - **Commissioner David Bower** moved to adopt language in Committee Memo on FY 2022 Proposed Budget. No changes were made. **Commissioners Peter Drekmeier, Hal Mickelson and Marilyn Keller** seconded the motion. **Commissioners Dena Mossar and Ron Owes** had left the meeting.
- **Commissioner Peter Drekmeier** made a motion to adjourn meeting with appreciation for Joe’s work for the Stormwater Committee.
  - **Marilyn, peter, Hal and David** voted in favor in honor and recognition to the accomplishments of former City Staff Joe Teresi.

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

- Ad hoc subcommittee workplan
- Ideas to honor for Phil Bobel
- Biden/Harris infrastructure package
- June meeting: MRP 2.0 update

Adjournment: 2:17pm



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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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