



CITY OF  
**PALO  
ALTO**

# Stormwater Management Oversight Committee

*Minutes*

**Thursday, February 3, 2022**  
**1 pm to 3 pm**  
Special Meeting

**\*\*\*BY IN PERSON and VIRTUAL TELECONFERENCE \*\*\***

<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: Hal Mickelson, Dena Mossar, Catherine Perman, Marilyn Keller, Bob Wenzlau, Ron Owes

Committee Members Absent: David Bower

Staff Present: Jamie Perez, Pam Boyle Rodriguez, Michel Jeremias, Brad Hunt, Julie Weiss

Other Presenters: Jerry Bradshaw (SCI Consulting Group)

## **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)

- Mickelson: Call to order at 1:01 PM

### 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.*

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- No Public Comment

### Old Business (5 min)

1. Approval of Minutes from the December 2, 2021 Stormwater Management Oversight Committee Meeting (5 min)
  - A. Ows: Motion to approve.
    - i. Mickelson seconds.
    - ii. No objections. Approved at 1:04 PM.

### New Business (90 min)

2. Adoption of a Resolution Authorizing Use of Teleconferencing for Stormwater Management Oversight Committee Meetings During Covid-19 State of Emergency (5 min)
  - A. Wenzlau: Motions to approve.
    - i. Perman seconds.
    - ii. No objections. Approved at 1:06 PM.
3. Staff Presentation of FY 2021 Actuals for Committee Approval and FY 2023 Budget Process Update (15 min)
  - A. Boyle Rodriguez: Introduction of new staff member, Brad Hunt.
  - B. Hunt: Introduction of background/experience and new role with City of Palo Alto as an Associate Engineer.
  - C. Perez: Presentation of FY 2021 Actuals.
  - D. Wenzlau: Referencing the Matadero Creek spill, asks how we anticipate revenue for spills in creeks or other similar issues. Was additional budget expended to cover those costs?
    - i. Boyle Rodriguez: If staff cleans up the spill and/or spends a considerable time bringing an issue to compliance, then costs are recovered. In addition, citations are \$1,000 and go up if needed according to the Muni Code. Those revenues go back to Storm Fund as well. Our positions are covered by the SWM Fee, in that way, staff time is covered for those issues as well.

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- ii. Wenzlau: Suggests speaking with the City Manager and City Attorney's Office to discuss how expenses for coverage of those issues are managed and funded.
  - iii. Owe: Discussion of issues with lack of enforcement of stormwater issues seen in the community.
  - iv. Boyle Rodriguez: Asks Committee members to follow up with her about specific issues. Currently working on cross-training staff on enforcement and inspections.
  - v. Perman: Can we publicize the method for submitting complaints more?
  - vi. Boyle Rodriguez: Inserts detailing method have been included in billing in the past and we can discuss doing more outreach on that.
- E. Wenzlau: Circle back to funding for coverage of spills like the Matadero Creek spill.
- i. Boyle Rodriguez: We can discuss with staff further and get back to the Committee with more information.
  - ii. Mickelson: Yes, that would be an effective way to handle the question and come back to the Committee.
- F. Perez: FY21 Actuals Memo Review
- i. Mickelson: Proposes edit to remove second to last sentence of second paragraph.
  - ii. Keller: Are we consistently going to be behind in budget? Are we consistently not spending the full budget?
    - 1. Perez: Lower expenses are often related to delays in projects, Citywide vacancies/lower staff capacity, longer procurement processes to establish contracts, contract expenses that span multiple fiscal years. Unspent encumbered funding is carried forward to subsequent fiscal years so planned expenses may be spread across multiple fiscal years, especially for large contracts or projects.
  - iii. Perman: Motions to approve

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a. Owes seconds.

2. Memo approved with edits by all Committee members at 1:42 PM.

G. Perez: FY23 Budget Process Update

i. Owes: Can we discuss enforcement issues further? Should we be raising other types of fees to cover the expenses for enforcement of storm drain violations and issues?

1. Perez: Staff can discuss further and come back for discussion at the next meeting in April.

2. Mickelson: Suggests Owes reaches out to City Manager for a one-on-one conversation.

3. Mossar: Suggests Owes has that conversation as a community member and not as a representative of the Committee.

4. Staff Update Stormwater Management Fund Capital Program (5 min)

A. Jeremias: Update on current progress of SWM Capital Improvement Program projects and proposed project for the FY23-F27 CIP Budget (SD-27000).

5. Staff Update and Discussion Stormwater Management Funding Analysis (60 min)

A. Boyle Rodriguez: Introduction of presentation and consultant, Jerry Bradshaw.

B. Bradshaw: Presentation of Funding Options for Green Stormwater Infrastructure.

i. Owes: Suggest looking at starting a contract with other cities to be mutually beneficial in partnership with other economies of scale.

ii. Bradshaw: There has been a regional effort and Palo Alto has plugged in with other organizations in the region, which is good.

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- C. Boyle Rodriguez: Asks for feedback from Committee on whether they would like staff to go to Council for future action or recommendations in reference to the presentation.
  - i. Perman: Emphasizes importance of funding for future operations and maintenance.
  - ii. Mossar: Suggests adding operations and maintenance funding to a future meeting agenda for further discussion.
  - iii. Bradshaw: Agrees and will add feedback into the final report.
- D. Keller: Suggests considering cost benefits and protection of existing trees in relation to GSI and development.
  - i. Bradshaw: Agrees, came across this in research and is looking into this as part of fee structure research.
- E. Perman: The current operations and maintenance budget does not cover GSI operations and maintenance?
  - i. Bradshaw: There is operations and maintenance budget for current infrastructure but there would not be enough as is to spread around to cover future GSI projects O&M.
  - ii. Perez: For CIP projects in general, we consider and note estimated future ongoing operations and maintenance costs as well as the overall design and construction costs of the project in the development of the project through the Capital Budget. We address those operations and maintenance costs in the Operating Budget through proposed budget adjustments as needed once a project is completed.
- F. Keller: If trees are considered part of the GSI infrastructure can we consider it part of our responsibility to have operations and maintenance for trees?
  - i. Jeremias: We did include trees on the Matadero Creek Pump Station. Those trees that were planted as part of a CIP project are part of our Urban Forestry requirement to maintain them. Eventually as the trees grow, need to be trimmed, or pick up leaf debris we will maintain them.
  - ii. Keller: That's great. Can that be considered for other trees that have not been planted as part of CIP projects? Can they

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be considered as part of the City's infrastructure, whose purview would that fall under?

- iii. Jeremias: That is covered by Urban Forestry and maybe we can bring someone from that team to another meeting in the future.

#### 6. Introduction to Boards, Commissions, and Committee (BCC) Workplan Update in Preparation for Next Meeting (5 min)

- A. Perez: Reminder that the workplan will need to be updated and brought to Council for FY23.

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

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

- Mickelson: Confirmation of next meeting date
  - Perez: 4/7/22
- Mickelson: Any agenda items for next meeting?
  - Mossar: Budgeting for future operations and maintenance.

#### Adjournment

- Mickelson: Motion to adjourn
  - Owes: Motions
  - Seconded by Mickelson.
  - No objections. Meeting adjourned at 3:06 PM.

#### AMERICANS WITH DISABILITY ACT (ADA)

Persons with disabilities who require auxiliary aids or services in using City facilities, services or programs or who would like information on the City's compliance with the Americans with Disabilities Act (ADA) of 1990, may contact (650) 329-2550 (Voice) 24 hours in advance.

#### **Public Comment Instructions**

Members of the Public may provide public comments to teleconference meetings via email, teleconference, or by phone.

1. Written public comments may be submitted by email to the staff liaison, Karin North at [karin.north@cityofpaloalto.org](mailto:karin.north@cityofpaloalto.org).
2. Spoken public comments using a computer will be accepted through the teleconference meeting. To address the Council, click on the link below to access a Zoom-based meeting. Please read the following instructions carefully.
  - A. You may download the Zoom client or connect to the meeting in browser. If using your browser, make sure you are using a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+,

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- Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer.
- 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.
  - D. A timer will be shown on the computer to help keep track of your comments.
3. Spoken public comments using a smart phone will be accepted through the teleconference meeting. To address the Council, download the Zoom application onto your phone from the Apple App Store or Google Play Store and enter the Meeting ID below. Please follow the instructions B-E above.
  4. Spoken public comments using a phone use the telephone number listed below. When you wish to speak on an agenda item hit \*9 on your phone so we know that you wish to speak. You will be asked to provide your first and last name before addressing the Council. You will be advised how long you have to speak. When called please limit your remarks to the agenda item and time limit allotted.

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