



Public Works Commission

**Regular Meeting
PUBLIC WORKS COMMISSION
Minutes
Thursday, June 1, 2006**

CALL TO ORDER: 7:03 p.m.

Present: Commissioners Holland, Jackson, Nelson, Prevo, Shumer, St. John, Wolfe

Absent: Commissioners Alward, Edwards

PUBLIC COMMENT:

L.A. Wood, 1803 Bonita, spoke on the street sweeping program and the City's NPDES permit, indicating that he has advocated for a long time that the program be expanded. He fully supports the Commission's intent to add in the opt-out areas but thinks that a much bigger expansion is called for.

Diana Bohn, 618 San Luis Road, represents Sweatfree Berkeley Coalition, and spoke in favor of adopting a sweatfree ordinance in Berkeley. It was noted that this topic is not on the agenda for tonight's meeting but may be on for the next meeting of the commission.

APPROVAL OF MINUTES: The minutes of the May 4, 2006 Regular Meeting were approved as submitted (MSC St. John/Jackson with a vote of 5-0-2), Nelson and Shumer abstaining).

CHAIR REPORT: None.

STAFF REPORT: Ron Nelson was welcomed as a new Commissioner appointed by Mayor Bates.

ANNOUNCEMENTS: Secretary Egeberg indicated that he would be giving an abbreviated version of the storm drain consultant report and update due to the unexpected absence of Lorin Jensen.

PRESENTATION: Storm Drain Consultant Report (1994) and Update (2006)

ACCOMMODATIONS PROVIDED UPON REQUEST

To request meeting materials in large print, Braille, or on cassette, or to request a sign language interpreter, assistive listening device, real-time captioning or other accommodation for the meeting, call 981-6406 (voice) or 981-6903 (TDD) as soon as possible. Providing at least five (working) days' notice will help to ensure availability at the meeting.

The 1994 Master Plan was developed in response to the City's requirement under the Clean Water Act to obtain an NPDES permit in late 1991. The Plan was prepared as a basis for establishing a fee to support activities under the NPDES including long-term capital improvements identified in the Master Plan. A fee was established, which included a set \$50 annual residential fee that generated \$1,900,000 per year, of which over \$1,000,000 was targeted for capital improvements. However, this fee has remained stagnant over the years due to Proposition 218, and gradually the entire amount has been used up for maintenance, with nothing left for capital in recent years. Additionally, the Master Plan had been based largely on analytical modeling since it was developed during the El Nino drought years, and its usefulness declined over subsequent wet years since many of the hypothetical flooding areas did not materialize as predicted.

A 2006 update was presented to the City Council on April 24, 2006. The total backlog had been \$76 million in 1994, and would cost about 60% more than that today due to inflation, whereas the 2006 report shows a current backlog of \$83 million. However, the original Master Plan included allowances for extensions of the storm drainage system into the three unserved areas in the hills. This is not included in the current plan, which accounts for the difference when including inflation. The two plans do agree well in the areas needing capacity expansions, primarily for the Strawberry and Potter drainage basins for an amount of \$30 - \$40 million. Today in the current City budget, \$2,400,000 is being applied from recent one-time funding allocations for making minor system repairs and replacements this year and next to alleviate certain high priority flooding problems.

Copies of both reports were distributed to commissioners. Commissioners discussed various possible funding scenarios, including a bond measure, supported by Councilmember Maio, and proposals for a ballot measure to increase the fee by 100%, or a combination of both. It was also noted that efforts to permeate, retain and filter drainage on private property could help to reduce runoff. Staff was requested to research an experimental concept being tested in Portland involving using barrels on residential property to hold rainwater until storms have passed.

ACTION ITEMS:

1. Final Report: Recommendations on Street Sweeping Program: In the draft report contained in the packet, references to "towing" in the last paragraph before "BACKGROUND" were changed by deleting the 1st and 3rd sentence, and the 1st word of the 4th sentence ("Meanwhile") of the paragraph. Also, "on opt out" should be added after "moratorium" in the 2nd sentence of the 3rd paragraph under "BACKGROUND." (MSC Wolfe/Shumer with a vote of 7-0-0). On the attachment, it was clarified that the order of phasing in is based on the ease of doing so operationally. However, the presentation of the attachment should still be clarified further for better understanding to the reader. After discussion on the proper timing of placing this on a particular Council meeting, the report was referred back to subcommittee for review of wording, costs of implementation, and revising the street list attachment, to come back for the July 2006 meeting (MSC Jackson/ Nelson with a vote of 7-0-0). Commissioner Nelson agreed to join the Subcommittee.

2. Subcommittee Report on Private Sewer Lateral Repairs: Commissioners Jackson and Shumer handed out an updated report from the Subcommittee that contained five recommendations. It was clarified that Item 1 pertained to keeping records of how many pass/fail the CCTV inspections. It was further clarified that Item 4 does not pertain to the currently adopted program but to the expanded program as recommended in Item 2. A provision should be added that the Commission shall review the performance of the program each year. Also, a low-income provision should be added to Item 5. The subcommittee will develop these recommendations further and report back to the Commission.

INFORMATION ITEMS.

1. Example of Improved Storm Water Infrastructure: Impervious Surface Abatement:

This item is carried over to the next meeting.

2. Follow-up Discussion of May 2006 Staff Presentation on Storm Drainage: This item is carried over to the next meeting.

3. Creeks Public Hearing and Council Consideration: Commissioner St. John announced that the Council adopted all of the Creeks Task Force Recommendations. In addition, the Public Works Commission position was read into the Council record. The next phase is for staff to start writing a new ordinance. The Council requested that this be presented to the Public Works Commission before coming to the Council, and this is scheduled for the July 2006 meeting of the commission.

ITEMS FOR FUTURE AGENDAS

Next Meeting: (Deadline: 15th of month)

1. Santa Fe Right-of-way (written report)
2. Sweatfree Initiative
3. Work Plan Review (2 previous Work Plans in packet)

Future:

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1. Downtown BART Plaza
2. Presentation by Gil Dong, Fire Department Emergency Coordinator
3. Report on 2005 Legal Claims for Flood Losses
4. Staff Presentations or deferred issues
 - a. Environmental Issues
 - b. Street Lighting Standards (including maintenance)
 - c. Citywide Plan for future Rule 20A Undergrounding Funds

ADJOURNMENT: 9:30 pm