



Dear Mayor and Council Members:

On behalf of City Manager Ed Shikada, please find below the staff responses to questions made by Councilmember Tanaka and Mayor Burt/Vice Mayor Kou regarding the [Monday, August 15 Council Meeting](#) consent agenda items:

Item 5, Approval of Contract Number C22184896 with Schaaf and Wheeler in the Amount of \$253,636 for Design Services for the Embarcadero Trash Capture Device Installation Project, Capital Improvement Program Project SD-22002

Item 7, Approval of the Office of the City Auditor's Nonprofit Agreement Risk Management Review

Item 8, Adopt a Resolution Approving a Summary Easement Vacation Adjacent to 1499 Edgewood Drive

Staff responses are below:

Item 5, Approval of Contract Number C22184896 with Schaaf and Wheeler in the Amount of \$253,636 for Design Services for the Embarcadero Trash Capture Device Installation Project, Capital Improvement Program Project SD-22002

- 1. In the original Agreement for partnership with Caltrans, the project was quoted to be in the \$500-\$600 thousand dollar range, but has been reduced to \$230,000. What changed between now and then, and can we trust the much cheaper solution to do its job as effectively?**

Answer: The estimated \$598-613,000 project cost includes design and construction as well as the trash capture device equipment. This staff report addresses only the design costs.

- 2. This Device will not get Palo Alto to the 100 percent trash load reduction required by 2025. What other actionable steps are going to be taken to ensure the deadline is met?**

Answer: Staff is currently working with a contractor to determine how the City will meet the 100 percent trash load reduction and will outline steps in a work plan to be completed Summer 2023.

- 3. How likely is it for the project to be finished by the initial CIA deadline?**

Answer: The Compliance Implementation Agreement described the construction being completed in October 2022. It is delayed approximately 11 months compared to the initial date. Staff will work with the consultant to lengthen the project duration as much as possible and will be reimbursed for all project costs incurred until May 2023.

- 4. The City's reimbursement of the \$613,000 to fund both the planning and design phases of the project are in jeopardy due to the delays caused by staffing constraints but will be refunded in FY2024 provided that Staff are "moving forward as swiftly as possible with the design and construction of the project." Does Staff have a plan to ensure that money returns to the City in FY2024?**

Answer: Staff is working with Caltrans staff in partnership with the Regional Water Board to make sure that project construction costs are covered by future funding, likely in the following fiscal year. If Caltrans has not committed to covering construction costs, the City will have the opportunity to evaluate whether or not to proceed with construction.

- 5. Are there any other possible ways to fulfill the MRP’s requirements to “address significant PCBs and mercury load reductions to the San Francisco Bay each permit term per the Total Maximum Daily Loads (TMDL) adopted by the San Francisco Bay Regional Water Quality Control Board” other than a waste capture device?**

Answer: Trash capture devices are one of a few regulatory tools available to Palo Alto to meet PCB and mercury load reduction requirements. The City is working with regional municipal partners to meet other requirements through source property identification and implementation of treatment control measures in older industrial areas such as improved housekeeping on private properties. Two tools – trash capture devices and green stormwater infrastructure – are particularly beneficial as they support the City in meeting multiple regulatory permit requirements.

- 6. What is the necessity of a stormwater runoff capture device in a city that only receives 17.3 inches of rain a year?**

Answer: The Regional Water Board requires that all municipalities reduce the amount of trash that reaches local water bodies by 2025. Trash enters storm drain systems (and, thus, local creeks and the Bay) throughout the year due to other pathways, such as irrigation and wind.

Item 7, Approval of the Office of the City Auditor’s Nonprofit Agreement Risk Management Review

- 1. What is the process by which staff will execute the actions plans described in the audit report?**

Answer: Staff expects to engage the City Council through a study session and supporting work through the appropriate Council Committee on the policy issues identified in the audit and potential revisions to the City’s Public/Private Partnerships Policy (POLICY AND PROCEDURES 1-25/MGR).

Item 8, Adopt a Resolution Approving a Summary Easement Vacation Adjacent to 1499 Edgewood Drive

- 1. Are there any financial impacts aside from the owner fee?**

Answer: There are no other financial impacts. Easement vacations are handled by existing staff resources. The City is exempt from paying recording fees at the County.