



City of Palo Alto

City Council Staff Report

(ID # 7938)

Report Type: Consent Calendar

Meeting Date: 5/1/2017

Council Priority: City Finances

Summary Title: Approval of Decommissioning Storm Drain Oversight Committee & Establishing Storm Water Mgmt Committee

Title: Adoption of a Resolution Decommissioning the Storm Drain Oversight Committee on May 31, 2017 and Establishing a New Storm Water Management Oversight Committee

From: City Manager

Lead Department: Public Works

Recommendation

Staff recommends that Council adopt a resolution:

- 1) Decommissioning the Storm Drain Oversight Committee on May 31, 2017; and
- 2) Establishing a new committee entitled the Storm Water Management Oversight Committee.

Background

In 2005, a majority of Palo Alto property owners approved a ballot measure authorizing an increase in the Storm Drainage Fee. At that time Council established by resolution a Storm Drain Oversight Committee to oversee the proposed budget and year-end expenditures to assess consistency with the approved Storm Drainage fee increase ballot measure. With the sunset of the Storm Drainage fee on June 1, 2017, so too ends the term of the Storm Drain Oversight Committee.

In preparation for a 2017 ballot-by-mail measure for a proposed new Storm Water Management Fee to replace the existing Storm Drain fee, the City Manager established a Blue Ribbon Storm Drain Committee. In 2016 the Blue Ribbon

committee made a series of recommendations, which Council adopted, regarding components and structure of the proposed Storm Water Management Fee. The Blue Ribbon committee also recommended that, in the event the proposed Storm Water Management Fee was approved in the mail ballot election, Council commission a Storm Water Management Oversight Committee to oversee storm water funding expenditures and review the budget. The Blue Ribbon Storm Drain Committee's final report, published in June 2016, marked the completion of that Committee's work.

Discussion

Staff recommends decommissioning the Storm Drain Oversight Committee on May 31, 2017. Palo Alto property owners have voted to approve a new Storm Water Management fee. Staff recommends establishing a new Storm Water Management Oversight Committee to oversee the proposed budget and year-end expenditures of the Storm Water Management Fund.

Resource Impact

No resource impacts are expected with the decommissioning of the Storm Drain Oversight Committee or the formation of a new Storm Water Management Oversight Committee.

Policy Implications

Establishing the Storm Water Management Oversight Committee is a continuation of an existing Council policy to have such a committee; and furthers the City's community engagement goal.

Environmental Review

Council approval of changes to the oversight committees does not meet the definition of a project for the California Environmental Quality Act (CEQA) under Public Resources Code Section 21065 and CEQA Guidelines Section 15378(b)(5) (administrative actions of governments that will not result in direct or indirect physical changes in the environment).

Attachments:

- Attachment A: Resolution Decommissioning SDOC & Establishing SWMOC
- Attachment B: RESO 8573

RESOLUTION NO. ____
**RESOLUTION OF THE COUNCIL OF THE CITY OF PALO ALTO DECOMMISSIONING THE STORM
DRAIN OVERSIGHT COMMITTEE ON MAY 31, 2017; AND ESTABLISHING A NEW STORM
WATER MANAGEMENT OVERSIGHT COMMITTEE.**

R E C I T A L S

A. On November 14, 2005, the City Council adopted Resolution No. 8573, establishing the Storm Drain Oversight Committee to review the proposed operating and capital budget of the Storm Drainage Fund and the year-end financial report documenting the expenditures of the Storm Drainage Fund in the previous fiscal year; and

B. On August 29, 2016, the City Council adopted Resolution No. 9624, calling a Mail Ballot Election in connection with the City's proposed Storm Water Management Fee; and

C. On October 24, 2016, the City Council adopted Resolution No. 9635, proposing a Storm Water Management Fee to replace the Storm Drainage Fee, calling a Public Hearing for October 24, 2016 with respect to such Fee and adopting Procedures relating to the conduct of a Protest Hearing and Mail Ballot Election.

The Council of the City of Palo Alto RESOLVES as follows:

SECTION 1. The existing Storm Drain Oversight Committee is decommissioned effective May 31, 2017.

SECTION 2. Committee Established. The City of Palo Alto Storm Water Management Oversight Committee is hereby created to review proposed storm water management capital improvements and operating programs to be funded from the Storm Water Management Fees and to monitor expenditures of the fund.

SECTION 3. Committee Membership and Appointment. The Committee shall consist of seven members who are selected and appointed by the City Council for a term of four years. Committee members shall serve without compensation. Each Committee member shall be a resident of Palo Alto, an employee of a business located in Palo Alto or an owner of real property within the City. No member shall be a council member, officer or employee of the City.

SECTION 4. Committee Duties. The Committee shall discharge its oversight duties by:

- (a) Meeting at least once a year to review the proposed operating and capital budgets of the Storm Water Management Fund for the next fiscal year. The Committee shall prepare a report documenting its findings with respect to the proposed budget and submit the report to the Finance Committee of the City Council prior to June 30th each year.

- (b) Meeting at least once a year to review the year-end financial report documenting the expenditures of the Storm Water Management Fund in the previous fiscal year. The Committee shall prepare a report documenting its findings with respect to the expenditures and submit the report to the City Council prior to May 31st each year.

SECTION 5. Meeting Procedures. The Committee shall conduct open public meetings, duly noticed in accordance with the Ralph M. Brown Act. The Committee may establish rules and procedures governing the conduct of its meetings.

SECTION 6. The City Clerk is directed to place advertisements announcing Committee vacancies in a newspaper of general circulation in the City, two times within a two week period.

SECTION 7. The Council finds that this is not a project under the California Environmental Quality Act and, therefore, no environmental impact assessment is necessary.

INTRODUCED AND PASSED:

AYES;

NOES;

ABSENT:

ABSTENTIONS:

ATTEST:

APPROVED:

City Clerk

Mayor

APPROVED AS TO FORM:

City Manager

Senior Asst. City Attorney

Director of Public Works

Director of Administrative Services

RESOLUTION NO. 8573
RESOLUTION OF THE COUNCIL OF THE CITY OF PALO
ALTO ESTABLISHING A STORM DRAIN
OVERSIGHT COMMITTEE

WHEREAS, on December 6, 2004, the City Council adopted Resolution No. 8483, establishing the amount of a proposed storm drainage fee increase to be presented to the property owners within the City for approval, describing the storm drain capital improvements and program enhancements on which the proposed fee increase, if passed, would be spent, and setting forth a schedule of actions to submit the proposed fee increase for property owner approval; and

WHEREAS, on April 26, 2005, the property owners approved the proposed storm drainage fee increase, on May 9, 2005 the Council adopted Resolution No. 8523 amending the Storm Drainage utility rate schedule to implement the increased fee and on June 1, 2005, the increased fee became effective; and

WHEREAS, Resolution No. 8483 also expressed the City Council's intent, in the event the storm drainage fee increase passed, to appoint an oversight committee to monitor and review the proposed storm drain capital improvements and to insure that the funds raised from the increased fee are spent in accordance with the list of storm drain capital improvements and program enhancements set forth in Resolution No. 8483 (attached for reference as Attachment 1 to this Resolution).

NOW, THEREFORE, the Council of the City of Palo Alto does RESOLVE as follows:

SECTION 1. Committee Established. The City of Palo Alto Storm Drain Oversight Committee is hereby created to review proposed storm drain capital improvements and program enhancements to be funded from the increased storm drainage fees for consistency with the list set forth in Attachment 1 to this Resolution and to monitor expenditures of the funds raised from the increased storm drainage fees to ensure they are spent in accordance with the list set forth in Attachment 1 to this Resolution.

SECTION 2. Committee Membership and Appointment. The committee shall consist of five members who are selected and appointed by the City Council for a term of four years.

Committee members shall serve without compensation. Each Committee member shall be a resident of Palo Alto, an employee of a business located in Palo Alto or an owner of real property within the City. No member shall be a council member, officer or employee of the City.

SECTION 3. Committee Duties. The committee shall discharge its oversight duties by:

- (a) Meeting at least once a year to review the proposed operating and capital budget of the Storm Drainage Fund for the next fiscal year to assess the consistency of the proposed storm drain capital improvements and program enhancements with the capital improvements and program enhancements described in Attachment 1. The Committee shall prepare a report documenting its findings with respect to the proposed budget and submit the report to the Finance Committee of the City Council prior to April 30th each year.
- (b) Meeting at least once a year to review the year-end financial report documenting the expenditures of the Storm Drainage Fund in the previous fiscal year to assess the consistency of the expenditures of the funds from the increased storm drainage fee with the capital improvements and program enhancements described in Attachment 1. The Committee shall prepare a report documenting its findings with respect to the expenditures and submit the report to the City Council prior to February 28th each year.

SECTION 4. Meeting Procedures. The Committee shall conduct open public meetings, duly noticed in accordance with the Ralph M. Brown Act. The Committee may establish rules and procedures governing the conduct of its meetings.

SECTION 5. The City Clerk is directed to place advertisements announcing Committee vacancies in a newspaper of general circulation in the City, four times within a two week period.

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SECTION 6. The Council finds that this is not a project under the California Environmental Quality Act and, therefore, no environmental impact assessment is necessary.

INTRODUCED AND PASSED: November 14, 2005

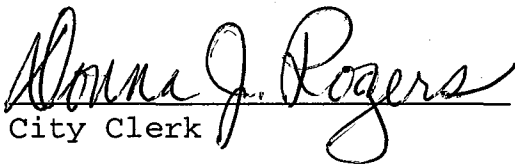
AYES: BEECHAM, BURCH, CORDELL, FREEMAN, KISHIMOTO,
KLEINBERG, MORTON, MOSSAR, OJAKIAN

NOES:


ABSENT:

ABSTENTIONS:

ATTEST:

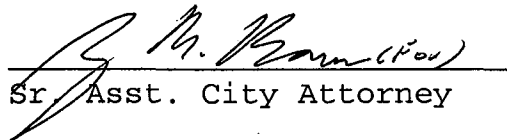


City Clerk



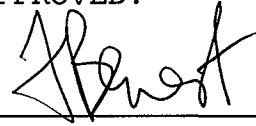
Mayor

APPROVED AS TO FORM:




Sr. Asst. City Attorney

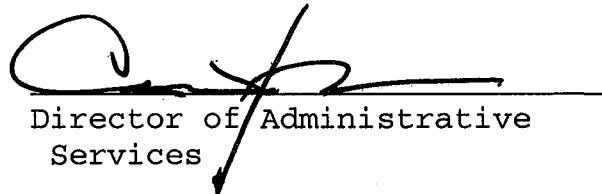
APPROVED:



City Manager



Director of Public Works



Director of Administrative
Services