

**CITY OF ALBANY
CITY COUNCIL AGENDA
STAFF REPORT**

Agenda Date: June 6, 2022

Reviewed by: NA

SUBJECT: US EPA (United States Environmental Protection Agency)
Consent Decree Regulatory Compliance (CIP No. 51010)

REPORT BY: Allison Carrillo, CIP Manager
Mark Hurley, Public Works Director/City Engineer

SUMMARY

The issue before the Council is to approve appropriation of \$50,000 for investigation and as-needed repairs or rehabilitation of upper sewer laterals from the General City Building Reserve Fund (2007). This project (CIP No. 51010) is required by the US EPA Consent Decree.

STAFF RECOMMENDATION

That the Council adopt Resolution No. 2022-55, appropriating \$50,000 from the Buildings Reserve Fund (2007) to the City Buildings Upper Sewer Lateral Project (CIP No. 51010) for investigation and as-needed repairs or rehabilitation of City-Owned upper sewer laterals.

BACKGROUND

In 2014, the City entered into a Consent Decree agreement with the US EPA (United States Environmental Protection Agency) which requires inspection and repair or rehabilitation of all upper sewer laterals at City owned building by July 2024.

In the City of Albany, sewer lateral maintenance and repair responsibilities are differentiated between upper sewer laterals and lower sewer laterals. Upper sewer laterals are the responsibility of the property owner for maintenance and rehabilitation. For any City owned building, the City is responsible for the costs of any necessary repairs or rehabilitations.

In May 2020, Council adopted the Capital Reserve Fund Policy and established the funds identified in the Policy, including appropriation of funds for the General City Building Reserve Fund from unreserved General Fund balances (Resolution No. 2020-38). This effort was part of a larger strategy to ensure the City's financial longevity, and ensure that necessary asset maintenance and purchases were planned for in advance of need.

The General City Building Reserve Fund (2007) was established in order to fund necessary repairs or replacements for City-owned buildings.

DISCUSSION

The City owns 11 properties with sewer services, including the buildings at City Hall, various restroom facilities within parks and recreation sites, the Albany Senior Center and Annex, the Public Works building, the Albany Library and the Community Center. The work would entail a preliminary investigation to determine the existing condition of City owned upper sewer laterals, followed by evaluation to determine appropriate repairs or rehabilitation necessary to bring the laterals into compliance. The proposed appropriation assumes that repairs and straight-forward rehabilitation at certain properties is sufficient to bring laterals into compliance. Following the investigation, staff will assess the necessary work and return to Council if additional funding is necessary.

ENVIRONMENTAL CLEARANCE

The proposed work consists of the rehabilitation of an existing sewerage facility to meet current standards of public health and safety and is determined to be categorically exempt under CEQA (California Environmental Quality Act).

SUSTAINABILITY CONSIDERATIONS

The rehabilitation of upper sewer laterals prevents sanitary sewer overflows (SSO). SSOs can reach storm drains and the San Francisco Bay causing unhealthy bacteria and pollutant levels. Rehabilitating the City's sewer mains and lower laterals to reduce SSOs is a requirement of the US EPA Consent Decree.

FINANCIAL SUMMARY

As established in the Reserve Fund Policy, the City Buildings Reserve Fund has a minimum funding level of \$250,000. The minimum funding level is set to ensure funds are available in the case of a maintenance emergency. At the time of this reporting, the fund balance is approximately \$395,000.

An appropriation of \$50,000 to CIP Project No. 51010 – City Buildings Upper Sewer Laterals Project is recommended at this time. This funding will cover investigation, repairs, and lower-complexity rehabilitation. As noted previously, should any significant issues requiring more complex rehabilitation be discovered during the course of the investigations, staff will return to the Council with an updated recommendation.

Attachments

1. Resolution No. 2022-55

