

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

Agenda Date: July 6, 2009
Reviewed by: BP

SUBJECT: Sewer System Management Plan

REPORT BY: Ann Chaney, Community Development Director
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STAFF RECOMMENDATION

1. Conduct a Public Hearing on the Sewer Management Plan (SSMP).
2. Adopt Resolution No. 09-36 approving and adopting the City's SSMP.
3. Authorize the City Administrator to execute an agreement with Bartle Wells Associates in an amount not to exceed \$24,500 for development of a financial plan for the SSMP.

BACKGROUND

Sanitary Sewer Overflows (SSOs) from sewer collection systems throughout California cities and communities have often caused beach closures, pollution of creeks and a threat to public health. A consensus has developed among the public, regulatory agencies and municipal sewer agencies that there is a need to develop and implement a comprehensive Sewer System Management Plan (SSMP) to prevent or significantly reduce SSOs from public sewer systems.

In the San Francisco Bay Area, the Bay Area Clean Water Agencies (BACWA), which is a Joint Powers Authority comprised of wastewater treatment and collection agencies, and the San Francisco Bay Regional Water Quality Control Board (Regional Water Board), worked together to produce a guide for developing and implementing a SSMP. As a result of this collaborative effort, the Regional Water Board on July 7, 2005 issued New Requirements for public sanitary sewer collection system agencies to develop and implement a SSMP in three phases over a three-year period.

During this same time, the State Water Resources Control Board (State Water Board) determined there is a need to adopt statewide regulations for collection systems in California to provide a statewide consistency in regulations. With input from the Sanitary Sewer Overflow Guidance Committee, State Water Board staff spent nearly two years developing an SSO reduction program. On May 2, 2006, the State Water Board adopted Statewide General Waste Discharge Requirements (WDR) for Sanitary Sewer Systems, Order No. 2006-003-DWQ. This Order required the development and implementation of a SSMP by all

public sewer collection system agencies of California in several phases within 51 months of the adoption of the order.

Bay Area agencies have been reporting SSOs electronically to the Regional Water Board using its SSO ERS since December 1, 2004. On November 2, 2006 the City filed a notice of intent (NOI) for coverage under the State Water Board's WDR as required.

Beginning in May of 2007, all Wastewater Collection Agencies in the Bay Area were required to report SSOs to the statewide system and the requirement for reporting SSOs to the Regional Water Board, ceased at that time. Notification of the Regional Water Board is still required, however.

DISCUSSION

A Sewer System Management Plan, (SSMP), is a document that describes the activities that an agency uses to manage its wastewater collection system effectively and proactively. The City's SSMP was developed in three phases utilizing the guide issued by the Regional Water Board. Phase 1, consisting of Elements 1,2,3, and 4 was completed August 31, 2006. Phase 2, consisting of Elements 5, 6, and 7 was completed on August 31, 2007 and Phase 3, consisting of Elements 8, 9, 10 & 11 was completed on August 31, 2008.

Following the completion of the third phase, an overview of each phase and an introduction was added and the document merged into a single plan. The merged document contains the following elements:

Introduction - provides a brief overview of the City's service area, and collection system.

Phase 1

Element 1 – Goals. States the SSMP's four goals which are: (1) to properly manage, operate, and maintain all parts of the wastewater collection system (2) to provide adequate capacity to convey peak flows (3) to minimize the frequency of SSOs and (4) to mitigate the impact of SSOs.

Element 2 – Organization. Provides an organization chart for the SSMP and describes the duty and responsibility of each staff member in the Organization Chart for planning, construction, and operation and maintenance activities and the tasks of responding and reporting SSOs. The Chart also indicates lines of communication in receiving SSOs notification, responding to and reporting SSOs.

Element 3 - SSO Emergency Response Plan (ERP). A response plan that contains the procedures for notification, response, reporting and mitigating impacts of SSOs.

Element 4 - Oils, and Grease (FOG) Control Program. Provides for a source control program that is administered by EBMUD and a prioritized sewer maintenance program based upon prior history of blockages

Phase 2

Element 5 - Legal Authority. Describes the provisions of the City's Municipal Code which provide control over the design, construction and use of sanitary sewers and for the control of inflow and infiltration of groundwater/stormwater into sewers.

Element 6 - Measures and Activities. Provides for the development of a Collection System Map, Geographic Information System, Resources and Budget, Prioritized Preventive Maintenance, Scheduled Inspections and Condition Assessment, Contingency Equipment and Replacement Inventories and Training.

Element 7 - Design and Construction Standards. Describes the City's Standard Specifications and Detailed drawings for sanitary sewer construction.

Phase 3

Element 8 - Capacity Management. This element includes a description of the City's capacity management program. The program consists of assessments of the collection system by the City, to assure adequate capacity, present and future.

Element 9 - Monitoring, Measurement, and Program Modification. Discusses how the City monitors implementation of the SSMP elements and measures the effectiveness of SSMP elements in reducing SSOs. Performance indicators have been selected to meet the SSMP goals of the City.

Element 10 - SSMP Audits. - Describes how the City will conduct an annual audit of the SSMP and report it to the Regional Water Quality Control Board, as part of its annual report of sanitary sewer system overflows, submitting it each year by March 15.

Element 11 - Communication Program – Describes how the City communicates the requirements of the various elements of the plan to its citizens.

The City certified the completion of each phase of the SSMP and that its constituent subparts were in compliance with the WDR within the time frame specified by the State Water Board. This certification was done electronically in the SSO database as required. All elements of the plan are now being implemented.

A copy of the SSMP is attached. The SSMP is a "living document" and will require modification to reflect changed conditions, maintenance program staffing, and financial resources and planning.

ANALYSIS

Under the WDR enrollees are also required to obtain their governing board's approval of the SSMP Development Plan and Schedule and final SSMP at a public hearing prior to certification that it is complete and in compliance. Communities with populations from 10,000 to 100,000 must conduct the public hearing prior to August 2, 2009. The WDR provides that agencies not send their SSMP to the State or Regional Water Boards for review or approval but, need to make them available upon request.

On June 15, 2009 the Council adopted a motion setting the public hearing on the approval and adoption of the City's SSMP for the regular meeting of July 6, 2009. Notice of the public hearing has been provided by the City Clerk and staff recommends that the Council

conduct the public hearing as scheduled and allow any interested person to speak. Following the close of the hearing, it is recommended the Council consider adopting the attached resolution approving and adopting the SSMP as submitted or as modified.

Public Works Staff is recommending that the services of a financial planning consultant be obtained to determine whether or not long term financing will be required to fund the program. The City Engineer contacted Bartle Wells Associates of Berkeley and asked them to submit a proposal to review the City's current sewer revenue and spending programs and to recommend various funding schemes including long term financing that may be necessary to implement the SSMP program. The proposal from Bartle Wells Associates, is attached. Bartle Wells proposes to review existing revenue and the SSMP expenditure plan and prepare several funding scenarios. They propose to perform these services on a time and materials basis for an amount not to exceed \$24,500. Bartle Wells and Associates has specialized in providing financial consulting services to wastewater agencies for more than 40 years and is very qualified to perform the requested services.

SUSTAINABILITY

A major objective of the SSMP is to reduce the potential for SSOs by reducing the amount of infiltration and inflow (I&I) of groundwater/stormwater into the sewer system, which then reaches the EBMUD Trunk Sewers. The City of Albany has been a leader in the San Francisco Bay region, and indeed the entire State of California by adopting an upper lateral compliance program. This program, which requires homeowners to demonstrate that upper laterals are "tight" upon sale or construction of improvements in excess of 5% of the value of the house, significantly reduces I&I. Reduction in I&I reduces the amount of pumping and energy required to process wastewater at EBMUD's pump station and treatment plant during significant rainfall events.

FINANCIAL IMPACT

Development and Implementation of SSMP/WDR required additional funding beyond that which had been previously planned and budgeted. In July of 2006 the Council approved a three year staged increase in the sewer service charge to fund the development and implementation of this unfunded mandate. The sewer service charge is being increased by \$8 per year per household. This increase is in addition to the annual cost of living increase that has been routinely implemented in the past. The City is entering the third and final year of the planned increase this (2009-10) fiscal year. It was noted upon approval that the increase would pay for the initial costs associated with the development of a proactive (as opposed to reactive) sewer system maintenance program. It will likely not, however, cover the added costs of an accelerated sewer replacement program, which will likely result from the SSMP investigations. The results of the study by Bartle Wells will assist the City in developing a funding and financing plan to implement the SSMP. There are sufficient funds in the Sewer Fund to perform the study.

Attachments

1. Resolution No. 09-36
2. Sewer System Management Plan (SSMP)
3. Proposal from Bartle Wells Associates