

CITY OF OAKLAND

AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2008 JUN 12 PM 1:53

TO: Office of the City Administrator
ATTN: Deborah A. Edgerly
FROM: Community and Economic Development Agency
DATE: June 24, 2008

RE: **An Ordinance Amending Title 13 Of The Oakland Municipal Code Adding Chapter 13.02 To Establish Sewer Design Standards**

SUMMARY

An ordinance has been prepared amending Title 13 of the Oakland Municipal Code (OMC) to clarify and establish design standards for sanitary sewers in Oakland.

At present, the OMC contains language regulating "Building Sewers" (sewers extending from private property to the sewer main). However, the OMC is silent about design standards for the public sewer system. The OMC is also silent about responsibility for maintenance of the public sewer system. Adoption of these proposed revisions to the OMC will provide clarity for the design and development community and assure a uniform standard of quality for construction and reconstruction of the sewer system.

This proposed section authorizes the Engineer designated by the City Administrator to develop and maintain sewer design standards for the City of Oakland.

It is recommended that the Ordinance be introduced and approved.

FISCAL IMPACT

There is no fiscal impact related to establishing design guidelines.

BACKGROUND

Design Standards:

Oakland Municipal Code (Chapter 13.08) regulates the construction, maintenance, and abandonment of private building sewers. The OMC does not currently address the construction, maintenance, and abandonment of public sewers. The proposed addition to the OMC will regulate the entire system.

In Oakland, public sewers are those pipes and structures that are located in the public rights-of-way or easements. These pipes collect wastewater from buildings and transport them to the regional interceptors and treatment plant, which are operated by East Bay Municipal Utility District. The Public Works Agency is responsible for operation and maintenance of the public

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sewers within the City of Oakland; the Community Economic Development Agency's Design & Construction Services Department is responsible for designing and constructing improvements to the public sewer system. In addition, new extensions to this system are privately constructed as part of new development projects.

Service laterals--pipes extending from the public pipes and servicing building--are considered private, and as such private property owners are responsible for their operation and maintenance.

KEY ISSUES AND IMPACTS

This proposed OMC addition, along with the existing code, will completely and comprehensively establish design standards for the entire (private and public) sewer system in Oakland. It will enable Oakland to comply with various federal and state requirements related to delineation of responsibilities, and establishing and enforcing design standards for the sanitary sewer system. The changes to the OMC codify existing internal and administrative design standards and practices. They will provide clarity for all designers and developers working in Oakland.

SUSTAINABLE OPPORTUNITIES

Economic: There is no direct economic impact from establishing design standards. However, establishing and enforcing design standards safeguards life and safety and thus reduces liability exposures.

Environmental: There is no direct environmental impact from establishing design standards. However, the standards are fully coordinated and aligned with other environmental programs and their goals. Maintaining high design standards eliminates the potential for design-related overflows from the sewer system.

Social Equity: There is no direct social impact from establishing design standards. However, establishing and enforcing design standards safeguards life and safety issues benefiting the entire community.

DISABILITY AND SENIOR CITIZEN ACCESS

There is no direct impact or benefit to seniors or people with disabilities.

RECOMMENDATION AND RATIONALE

It is recommended that the City Council introduce and approve the ordinance so that design standards may be established and enforced for Oakland's public sanitary sewer system.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council introduce and approve the ordinance.

Respectfully submitted,

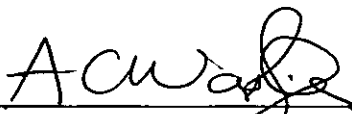


Dan Lindheim
Director
Community & Economic Development Agency

Reviewed by:
Michael Neary, P.E., Deputy Director
Community & Economic Development Agency

Prepared by:
Gus Amirzehni, Principal Civil Engineer
Engineering Design Services Division

APPROVED AND FORWARDED TO THE
PUBLIC WORKS COMMITTEE:



Office of the City Administrator

INTRODUCED BY COUNCILMEMBER _____
OFFICE OF THE CITY CLERK
OAKLAND


City Attorney

2000 JUN 12 PM 1:53

OAKLAND CITY COUNCIL

ORDINANCE No. _____ C.M.S.

**ORDINANCE AMENDING TITLE 13 OF THE
OAKLAND MUNICIPAL CODE ADDING
CHAPTER 13.02 AUTHORIZING THE
ENGINEER TO ESTABLISH SEWER DESIGN
STANDARDS**

WHEREAS, the Oakland Municipal Code does not currently regulate design standards for constructing or improving the public sewer system; and

WHEREAS, such design standards have, in the past, been established by the Public Works Agency's Design and Construction Services Department (DCSD) in accordance with industry standards; and

WHEREAS, a recent reorganization has moved the Design and Construction Services Department to the Community and Economic Development Agency; and

WHEREAS, it is in the interest of the City to establish responsibilities for development and implementation of sewer design guidelines and enforce them as part of the Oakland Municipal Code; now, therefore

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AND FIND AS FOLLOWS:

Section 1. Title 13 of the Oakland Municipal Code is amended to add Chapter 13.02. The added Section shall now read as follows:

Chapter 13.02 Sewer System.

13.02.010 Definitions

13.02.020 Purpose

13.02.030 Responsibility

Chapter 13.02.010 Definitions.

"Building Sewer" means the sewer or sewers defined and described in Chapter 13.08.

“City” means the City of Oakland.

“Engineer” means the professional civil engineer, licensed to practice engineering by the State of California, designated by the City Administrator to manage the City’s Sewer System.

“Private Sewer” means a pipe, conduit or channel, not maintained by the City, used to carry sewage.

“Public Sewer” means a pipe, conduit or channel, maintained by the City and used to carry sewage.

“Sanitary Sewer” means any Building Sewer, Private Sewer or Public Sewer used to carry sewage.

“Sewage” means water carrying waste from residences, commercial and industrial establishments, or any combination of such wastes, but excluding storm water when conveyed in a separate storm water system.

“Sewer System” means either the entire network or a portion of that network of publicly and privately maintained pipes, conduits, channels, manholes, pump stations and all appurtenances thereto, under the jurisdiction of the City, used to collect, store and transport sewage.

Chapter 13.02.020 Purpose.

The purpose of this chapter is to regulate the design, construction, operation, maintenance, and abandonment of the Sewer System (except Building Sewers).

Chapter 13.02.030 Responsibilities.

The Engineer shall be responsible for developing, publishing and enforcing standards for the design, construction, and abandonment of the Sewer System (except for Building Sewers) and for updating the standards from time to time. Such standards shall apply to all sewers regardless of whether they are Public Sewers or Private Sewers.

The Director of Public Works shall be responsible for operation and maintenance of the Public Sewer System.

Section 2. Title 13 of the Oakland Municipal Code is amended to change the title of Chapter 13.04 from “Sewer System Generally” to read as follows:

Chapter 13.04 Sewer System Funding.

Section 3. Title 13 of the Oakland Municipal Code is amended to change certain definitions of Chapter 13.08.20 to reflect the above changes as follows:

“Sanitary Sewer” means any Building Sewer, Private Sewer or Public Sewer used to carry sewage.

“Sewage” means water carrying waste from residences, commercial and industrial establishments, or any combination of such wastes, but excluding storm water when conveyed in a separate storm water system.

“Sewer System” means either the entire network or a portion of that network of publicly and privately maintained pipes, conduits, channels, manholes, pump stations and all appurtenances thereto, under the jurisdiction of the City, used to collect, store and transport sewage.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2008

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

DATE OF ATTESTATION: _____