

**CITY OF OAKLAND**  
**AGENDA REPORT**

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND  
2003 OCT -2 PM 1:47

TO: Office of the City Manager  
ATTN: Deborah Edgerly  
FROM: Public Works Agency  
DATE: October 14.2003

**RE: RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR \$460,000 WITH THE STATE OF CALIFORNIA WATER RESOURCES CONTROL BOARD TO ACCEPT AND APPROPRIATE \$460,000 IN "COASTAL NONPOINT SOURCE PROGRAM" GRANT MONIES FOR PCB ABATEMENT IN THE ETTIE STREET PUMP STATION WATERSHED, AND TO USE \$69,000 FROM THE CITY'S CLEAN WATER PROGRAM BUDGET AS REQUIRED MATCHING FUNDS**

---

**SUMMARY**

A resolution has been prepared authorizing the City Manager to enter into an agreement with the State Water Resources Control Board (SWRCB) and to accept and appropriate \$460,000 in SWRCB grant funds over three years for a project to abate polychlorinated biphenyls (PCBs) in the area of West Oakland that drains to the Ettie Street Pump Station. The City has been selected as a grant recipient under the SWRCB "Coastal Nonpoint Source Grant Program", funded under Proposition 13. The City must enter into an agreement with the SWRCB by February 2004 in order to secure the grant money.

The goals of the grant are: (1) to identify the source(s) of PCB-contaminated sediments that are accumulating in the City's storm drain system and right-of-way in the area draining to the Ettie Street Pump Station, (2) to remove the PCB-contaminated sediments that are located in the storm drain system and right-of-way, and (3) to implement a strategy to prevent further PCB contamination from adversely impacting San Francisco Bay (Bay) via the Ettie Street Pump Station.

The grant monies will assist the City in fulfilling the requirements of the City's state-issued municipal stormwater discharge permit, in protecting Bay water quality, and in improving the area of West Oakland that drains to the Ettie Street Pump Station. The Public Works Agency – Environmental Services Division (PWA-ESD) will manage the grant funds. Work conducted under this grant will support City Council goals #2 (Develop a Sustainable City), #3 (Improve Oakland Neighborhoods), and #6 (Maintain and Enhance Oakland's Physical Assets). This project will be located in Council District 3.

It is recommended that the resolution be approved.

**FISCAL IMPACT**

The SWRCB is awarding the City a grant in the amount of \$460,000. The funds will be placed in Fund 2136 – California Water Resource Board, and will cover expenses over a 3-year period

**3**

**PUBLIC WORKS CMTE**

**OCT 14 2003**

(i.e., FY 2003-04 through FY 2005-06). Of the \$460,000, \$32,150 will cover partial staff costs for an Environmental Program Specialist (\$9,400 at .10 FTE, fully burdened) and a Hazardous Materials Inspector (\$22,750 at .26 FTE, fully burdened), over the 3-year grant period.

This grant requires the City to provide matching funds in the amount of \$69,000; these in-kind matching funds will be provided by Clean Water Program non-project monies in Fund 3100 – Sewer Service Fund, Organization 30285, Program NB34.

All overheads are covered by this grant, and invoicing for reimbursements is required quarterly.

## **BACKGROUND**

The Ettie Street Pump Station is an Alameda County Flood Control and Water Conservation District facility that pumps storm water runoff from approximately 1,000 acres of West Oakland to the Bay. In 2000 and 2001, the Alameda Countywide Clean Water Program (ACCWP) collected sediment samples from creeks in western Alameda County and the Ettie Street Pump Station. The ACCWP analyzed the samples for various chemicals, including PCBs. The sediment samples from the Ettie Street Pump Station had the highest concentrations of PCBs, for both 2000 and 2001, among the sites sampled. After reviewing the data, the ACCWP informed the City of the findings. In 2001, City staff assisted the ACCWP in collecting samples of accumulated sediments in the storm drain inlets and pipes associated with the Ettie Street Pump Station. Analyses found significant concentrations of PCBs in the sediments. No sources were identified. In 2002, City staff applied for the SWRCB grant to support a more extensive investigation to determine sources of the PCBs.

PCBs are known carcinogens that were used widely in industry (e.g., in electrical appliances, hydraulic machinery and plastics manufacturing) for decades. They are particularly resistant to breaking down under natural forces and can accumulate easily in aquatic species. The San Francisco Bay Regional Water Quality Control Board (RWQCB) has found high levels of PCBs in Bay waters and fish tissues. The City's stormwater permit, issued by the RWQCB, requires the City to take action to eliminate illicit discharges to the Bay, such as PCB runoff.

## **KEY ISSUES AND IMPACTS**

Work under this grant will allow the City to fulfill the requirements of the City's state-issued municipal stormwater discharge permit, improve the water quality of the Bay, and reduce resident and worker exposure to PCBs in West Oakland.

## **PROJECT DESCRIPTION**

The City will collaborate with the ACCWP and RWQCB to (1) identify the source(s) of PCB-contaminated sediments that are accumulating in the City's storm drain system and right-of-way in the area draining to the Ettie Street Pump Station, (2) remove the PCB-contaminated sediments that are located in the storm drain system and right-of-way, and (3) implement a strategy to prevent further PCB contamination from adversely impacting San Francisco Bay (Bay) via the Ettie Street Pump Station.

As part of the grant project, the City will undertake the following: soil sampling and analysis; property inspections; removal of PCBs from the storm drain system, and right-of-way; education of property owners regarding stormwater Best Management Practices; issuance of Orders to Abate to private property owners, if necessary; and development of a project case study for use by other municipalities.

Sampling, cleanup, case study development and overall project management will be performed by a combination of City staff and as-needed environmental consultants. All work performed under this grant will be conducted in accordance with existing laws and regulations.

### **SUSTAINABLE OPPORTUNITIES**

#### **Economic:**

Reducing the quantity of PCBs reaching the Bay will enhance the beneficial uses of Bay waters, including economic activities such as fishing and boating.

#### **Environmental:**

Reducing the quantity of PCBs reaching the Bay will improve water quality and protect marine life.

#### **Social Equity:**

Reducing PCB-contaminated sediments in the project area will lessen resident and worker exposure. It is anticipated that educating residents and workers regarding Best Management Practices will result in cleaner and more attractive properties.

### **DISABILITY AND SENIOR CITIZEN ACCESS**

Implementation of this resolution will have no impact on disability and senior citizen access.

### **RECOMMENDATION**

PWA staff recommends that the City Council approve the resolution authorizing the City Manager to enter into an agreement with the SWRCB and to accept and appropriate \$460,000 for a project to abate PCBs in the Ettie Street Pump Station watershed. The agreement will allow the City to fulfill the requirements of its state-issued municipal stormwater discharge permit, improve the water quality of the Bay, and reduce resident and worker exposure to contaminants in West Oakland.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that the City Council approve the resolution.

Respectfully submitted,



**CLAUDETTA R. FORD**  
Director, Public Works Agency

Reviewed by:

Raul Godinez II, P.E.

Assistant Director, Public Works Agency  
Design & Construction Services

Prepared by:

William Madison

Environmental Program Specialist

APPROVED AND FORWARDED TO THE  
PUBLIC WORKS COMMITTEE:



**OFFICE OF THE CITY MANAGER**

# OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.



FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2003 OCT 14  
**RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE STATE OF CALIFORNIA WATER RESOURCES CONTROL BOARD TO ACCEPT AND APPROPRIATE \$460,000 IN "COASTAL NONPOINT SOURCE PROGRAM " GRANT MONIES FOR PCB ABATEMENT IN THE ETTIE STREET PUMP STATION WATERSHED, AND TO USE \$69,000 FROM THE CITY'S CLEAN WATER PROGRAM BUDGET AS REQUIRED MATCHING FUNDS**

**WHEREAS**, the State Water Resources Control Board (SWRCB) has awarded the City of Oakland \$460,000 as a recipient of a Coastal Nonpoint Source Grant; and

**WHEREAS**, the goals of this grant are: (1) to identify the source(s) of PCB-contaminated sediments that are accumulating in the City's storm drain system and right-of-way in the area draining to the Ettie Street Pump Station, (2) to remove the PCB-contaminated sediments that are located in the storm drain system and right-of-way, and (3) to implement a strategy to prevent further PCB contamination from adversely impacting San Francisco Bay (Bay) via the Ettie Street Pump Station; and

**WHEREAS**, the activities in the agreement will help meet Council goal #2 to develop a sustainable City; Council goal #3 to improve Oakland neighborhoods; and Council goal #6 to maintain and enhance Oakland's physical assets; and

**WHEREAS**, SWRCB protocol for these monies requires that the City of Oakland provide matching funds in the amount of 15 percent of the dollars awarded; and

**WHEREAS**, these in-kind-matching funds in the amount of \$69,000 will be expended from the City's Clean Water Program budget (3100 Fund); and

**WHEREAS**, the City Council finds that this agreement shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

**RESOLVED:** That the City Council hereby approves acceptance and appropriation of \$460,000 in grant money from SWRCB and approves the allocation of this money for PCB Abatement in the Ettie Street Pump Station Watershed ; and be it

**FURTHER RESOLVED:** That the City Council authorizes the City Manager or her designee to execute an agreement with the SWRCB to accept the grant funds provided that said agreement shall be reviewed and approved by the City Attorney's Office and shall be filed with the Office of the City Clerk; and be it

**FURTHER RESOLVED:** That the City Council authorizes the use of \$69,000 from the City's Clean Water Program Budget as required matching funds; and be it

**FURTHER RESOLVED:** That the City Manager or her designee is hereby authorized to approve any subsequent amendments or extensions of said agreement, provided that such amendments or extensions shall be approved by the City Attorney's Office and shall be filed with the Office of the City Clerk. Should additional grant funds be received, the City Manager is hereby authorized to appropriate same for the purposes described above.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

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

NOES-

ABSENT-

ABSTENTION-

**3**

**PUBLIC WORKS CMTE**

**OCT 14 2003**

ATTEST: \_\_\_\_\_

CEDA FLOYD

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