



**Santa Clara Valley
Urban Runoff
Pollution Prevention Program**

**MANAGEMENT COMMITTEE MEETING
MINUTES**
August 18, 2016

Campbell • Cupertino • Los Altos • Los Altos Hills • Los Gatos • Milpitas • Monte Sereno • Mountain View • Palo Alto
San Jose • Santa Clara • Saratoga • Sunnyvale • Santa Clara County • Santa Clara Valley Water District

I. MANAGEMENT COMMITTEE CALL TO ORDER / INTRODUCTIONS

Napp Fukuda (Vice Chair, San Jose) called the meeting to order at 9:35 am. Management Committee (MC) members introduced themselves.

II. ADDITIONS OR REVISIONS TO THE AGENDA; ANNOUNCEMENTS

Melody Tovar (Sunnyvale) requested that Agenda Item VIII. C. Monitoring and Pollutants of Concern be discussed before the other items under Agenda Item VIII. MRP Implementation.

Joe Teresi (Palo Alto) announced that he will be retiring from the City of Palo Alto by the end of 2016. He also mentioned that the City of Palo Alto will be conducting a storm drain fee renewal effort consistent with Prop 218. More information is available at:

http://www.cityofpaloalto.org/gov/boards/storm_drain_blue_ribbon_committee.asp

III. APPROVAL OF MINUTES

Motion: Cheri Donnelly (Cupertino) moved to approve the minutes from the July 21, 2016 MC meeting. **Second:** Michael Rhoades (County of Santa Clara). **Vote:** Motion passed unanimously.

IV. REVIEW OF ACTION ITEMS FROM LAST MEETING

Action Items from the July 21, 2016 meeting:

- None.

Action Items from previous meetings:

- Chris Sommers (Program staff) reported that Action Item 3-16-1 (Coordinate a study session to discuss the feasibility of using solid waste fees to fund trash management programs) will be completed upon receiving additional information from Elaine Marshall (Sunnyvale).
- Action Item 1-16-3 (Prepare an internal schedule and linkage related to POC and RAA needs) is in progress.

V. TIME OPEN FOR PUBLIC COMMENT ON ANY SUBJECT NOT ON AGENDA

No members of the public were present at the meeting.

VI. WATER BOARD STAFF COMMENTS

Water Board (WB) staff was not present at the meeting. Jill Bicknell (Program staff) reported that a group of Permittees, including several SCVURPPP Co-permittees, met with WB staff on July 26, 2016 to discuss approaches that smaller municipalities could use to implement GI requirements. WB staff recommended that all Permittees develop an

approach that fits their community characteristics and provide the rationale for the approach in the GI Framework.

VII. PROGRAM BUSINESS

A. PROGRAM MANAGER'S REPORT

1. Action Item: MOA Amendment #3

Robert Falk (Program Legal Counsel) updated the MC (by phone) on the SCVURPPP MOA Amendment #3. The Amendment extends the Program MOA by another Permit term plus an additional fiscal year. No other changes have been made to the MOA. He asked the MC to consider approving the MOA. After approval, MC members need to proceed with securing MOA approval by their appropriate governing authority/bodies within three months. The new MOA will become effective on December 19, 2016.

Motion: Melody Tovar (Sunnyvale) moved to approve the SCVURPPP MOA Amendment #3. **Second:** Cheri Donnelly (Cupertino). **Vote.** Motion passed unanimously.

Action: *The final MC-approved MOA Amendment #3 and instructions to Co-permittees will be distributed by Program Legal Counsel after today's meeting.*

The MC discussed scheduling a brief update on the MOA as an information item at the City/County Managers meeting in September. Melody agreed to follow-up and try to get this item on the agenda.

2. BASMAA Update

Chris reported that BASMAA sent a letter with comments on the Caltrans Trash Load Reduction Workplan for the San Francisco Bay Region. He will send the letter to the MC.

3. CASQA Update

Jill reported that the CASQA Board of Directors approved the *Pesticides Subcommittee Annual Report and Effectiveness Assessment Report, FY 2015-2016*. This Report will be included in the Program's Annual Report. She added that SB 1170, the bill that would prohibit a public agency from delegating to a contractor the development of a stormwater pollution prevention plan on a public works contract, has been held in committee and will not be acted on this year.

4. Grants Update

Program staff provided the following updates on grants:

- SCVURPPP (with SCVWD as the lead applicant) was selected to receive funding for the "Storm Water Resource Plan for the Santa Clara Basin in Santa Clara County" project under the Prop 1 Stormwater Grant Program planning grants. The SCVWD Board will formally accept the grant at its September meeting. The MC asked Program staff to find out if District staff need any support at the Board meeting.
- A Technical Assistance Workshop for the Proposition 1 California Urban Rivers Grant Program was held on July 29 in San Jose. Program staff attended and sent an email with information on the grant program to the MC. The grant funds can be used for green infrastructure projects, there is no

required match (but some match is desirable), and the stormwater resource plan requirements are very flexible.

B. PROGRAM MANAGEMENT

1. Review of FY 15-16 Program Management Services – Final Self Audit Report

Chris reminded the MC that the FY 15-16 Self Audit Report (SAR) was sent to them on August 5, 2016. The SAR was prepared consistent with the SCVURPPP MOA/Bylaws and documents the activities and tasks conducted by the Program Manager from July 2015 through June 2016. Program staff did not receive any comments on the SAR.

Motion: Melody Tovar (Sunnyvale) moved to accept the FY 15-16 Self-Audit Report.
Second: Kirsten Struve (Palo Alto). **Vote.** Motion passed unanimously.

2. FY 15-16 Annual Report

The Draft FY 15-16 Program Annual Report will be sent to the MC next week for review. Comments will be due to Chris by September 12, and the MC will be asked to approve the report at its September 15th meeting. Co-permittees that would like consistency reviews of their own annual reports should submit them to Vishakha by September 8. Updated guidance on annual report preparation will be emailed to the MC later today.

C. PROGRAM BUDGET

1. FY 15-16 Annual Budget Compilation (ABC) Report

The FY 15-16 ABC Report will be sent to the MC in early September for information.

2. Status of Assessments Received for FY 16-17

Adam Olivieri (Program staff) reported that assessments have been received from almost all Co-permittees. He thanked the MC for taking care of the payments promptly.

VIII. MRP IMPLEMENTATION

Only priority MRP Implementation items were discussed.

A. NEW DEVELOPMENT AND REDEVELOPMENT

1. Priority Items Identified by Program Staff

Jill reported that she met with the District's Groundwater Unit last week to talk about deep infiltration wells being promoted by a vendor and the role of infiltration wells in the Stormwater Resource Plan. District staff is concerned about the risks to groundwater quality associated with deep infiltration wells and would like all projects for which these wells have been proposed to go through District staff review.

C. MONITORING AND POLLUTANTS OF CONCERN

1. Priority Items Identified by Program Staff

Chris updated the MC on the “PCBs in Building Materials” project. Over the past six months, the scope of a MRP-required protocol/program to “Manage PCB-containing materials and wastes during building demolition activities” has been under development via a BASMAA regional project. The consulting team leading the project has received some input from municipal staff and demolition/remediation industry representatives on the proposed protocol/program, but additional input is needed to move forward on addressing this MRP requirement in a thoughtful and acceptable way. A memo describing the background information, the proposed implementation process, and questions that need input was sent to the MC on August 10.

The MC discussed the memo and provided the following feedback. The MC strongly recommended that a regionally consistent, streamlined, and simplified process be developed that would limit their liability and refer project applicants to guidance materials developed regionally. The guidance materials would recognize that project applicants need to be consistent with existing federal regulations regarding the removal and disposal of PCBs in building materials, equipment, and waste generated during the demolition process. Tasks that SCVURPPP Co-permittees would be interested in developing regionally include: 1) a model ordinance or ordinance type language that could be incorporated into existing stormwater ordinances, policies, or guidance (as determined by the local agency); 2) a building permit template; 3) survey guidance/standards; 4) a list of contractor qualifications; 5) example outreach and training materials for agency staff and contractors/project applicants; and 6) BMP guidance.

The MC further noted that developing a standard or regulation along the lines of the ASTM approach is a State and/or federal responsibility and they encouraged State and federal agencies to conduct development of such a standard/regulation. The MC noted that they would be willing to collaborate and/or partner with a state and/or federal agency-led effort.

X. ADJOURN

The MC meeting adjourned at 11:10 a.m.



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Meeting Attendance Record

DATE Aug 18, 2016

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San Jose • Santa Clara • Saratoga • Sunnyvale • Santa Clara County • Santa Clara Valley Water District

CO-PERMITTEE REPRESENTATIVES
(voting members)

SIGNATURE

Bill Helms – Campbell
Alternate: Kelly Carroll, WVCWP Manager

K Carroll

Cheri Donnelly – Cupertino
Alternate: Roger Lee

C. C. D.

Aida Fairman – Los Altos
Alternate: Christopher Lamm

Richard Chiu – Los Altos Hills
Alternate: John Chau

Matt Morely – Los Gatos
Alternate: Kelly Carroll, WVCWP Manager
Alternate: Jim Harbin

K Carroll

Judy Chu – Milpitas
Alternate: Leslie Stobbe

Brian Loventhal – Monte Sereno
Alternate: Kelly Carroll, WVCWP Manager

K Carroll

Eric Anderson – Mountain View
Alternate: Carrie Sandahl

E. A.

Kirsten Struve – Palo Alto
Alternate: Joe Teresi

Kirsten Struve / Joe Teresi
Fukuda

Napp Fukuda – San Jose
Alternate: Sharon Newton

Dave Staub – Santa Clara
Alternate: Karin Hickey

John Cherbone – Saratoga
Alternate: Kelly Carroll, WVCWP Manager
Alternate: Mainini Cabute

K Carroll

Melody Tovar – Sunnyvale
Alternate: Elaine Marshall

Melody Tovar Mainini Cabute

Michael Rhoades – Santa Clara County
Alternate: Julianna Martin

Michael Rhoades Julianna Martin

Liang Lee – SCVWD
Alternate: Brett Calhoun

Kelly Carroll

Kelly Carroll – West Valley Communities

URBAN RUNOFF PROGRAM STAFF

Adam Olivieri

Jill Bicknell

Chris Sommers

Vishakha Atre



Jill Bicknell

Chris Sommers

Vishakha Atre

REGIONAL BOARD REPRESENTATIVE

Sue Ma

INTERESTED PARTIES/AGENCY REPRESENTATIVE

Trish Mulvey – Clean South Bay

ADDITIONAL ATTENDEES

Robert Falk, Morrison Foerster
(by phone)

**Santa Clara Valley Urban Runoff Pollution Prevention Program
Management Committee Meeting Action Items**

Action Items from the August 18, 2016 Meeting

None.

Action Items Remaining from Previous Meetings

| Action | Description | Responsibility | Due Date | Status | Comments |
|---------------|--|-----------------------------|-----------------|---------------|--|
| 8-16-1 | Distribute MC-approved MOA Amendment #3 and instructions to Co-permittees. | Program Legal Counsel | August | Done | |
| 3-16-1 | Coordinate a study session to discuss the feasibility of using solid waste fees to fund trash management programs. | Program staff/ Sunnyvale | TBD | To Be Done | Sunnyvale to better define questions, scope & conference call invitees |
| 1-16-3 | Prepare an internal schedule and linkage related to POC and RAA needs. | Program staff | September | In Progress | Being developed as RAA further scoped |