

RESOLUTION NO. 21-67

Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager Or Designee To 1) Enter Into A Cooperative Implementation Agreement With Caltrans To Receive Grant Funds To Construct The Emery Street Hydrodynamic Separator Project, And 2) Accept And Appropriate Funding From Caltrans For This Project In An Amount of Six Hundred Eighty Thousand Dollars; CEQA Determination: Exempt Pursuant to CEQA Guideline Section 15301

WHEREAS, the City of Emeryville is subject to storm water regulations covering removal of trash and pollutants defined in the San Francisco Regional Water Quality Control Board's Municipal Regional National Pollutant Discharge Elimination System Permit (MRP 2.0, Order No. R2-2015-0049)); and

WHEREAS, as condition of the MRP, all cities were required to reduce the amount of trash discharging from their storm drain system by 80 percent by 2019 from baseline trash levels established in 2009. A new MRP term is approaching, and it is anticipated that this requirement will be for a 90% reduction by 2023 and a 100% reduction by 2025; and

WHEREAS, the City of Emeryville approved and partially funded two capital improvement projects: Additional Storm Drain Inlet Trash Capture Devices (CIP #18475008) and Large Trash Separator in Storm Drain Line (CIP # 18475009) to meet the requirements of the MRP; and

WHEREAS, the City of Emeryville has implemented maintenance strategies and installed infrastructure to meet the 80% trash reduction goal for 2019 but additional work is required to meet 2023 and 2025 goals; and

WHEREAS, State of California Department of Transportation (Caltrans) is also subject to RWQCB permit requirements for trash capture and has developed a grant program to construct Full Capture Devices (FTC) in cooperation with local agencies; and

WHEREAS, Caltrans and the City of Emeryville staff have identified a project to install a Hydrodynamic Separator (HDS) type FTC on Emery Street that will meet the goals of both agencies ("Project") and;

WHEREAS, Caltrans will fund \$680,000 to design and construct the Project with a condition that the City construct and maintain the FTC; and

WHEREAS, the City of Emeryville, pursuant to California Streets and Highways Code Sections 114 and 130, will enter into a Cooperative Agreement for improvements to the State Highway System as a watershed stakeholder within the City's jurisdiction Caltrans' Cooperative Implementation Agreement (CIA) provides capital and support funding for planning, design, environmental studies, right of way acquisition (easement only) and construction of stormwater treatment facilities; and

WHEREAS, Caltrans will contribute \$680,000 to the City of Emeryville to design and construct the Project facilities;

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WHEREAS, the proposed funding from Caltrans will be added to the Project budget to fully fund the design and construction of the Emery Street FTC

Existing Funding:

Project	Fund	Amount
18475009	475	\$530,000

New Funding to be received through Caltrans Grant and appropriated into project:

Project	Fund	Amount
18475009	254	\$680,000

Total Project costs for the Emery Street FTC unit are estimated to be between \$750,000-\$1,000,000. This cost includes, consultant fees, construction costs and staff costs. As the design develops the project costs can be better estimated. Remaining Project budget would be applied to the construction of a second FTC unit in the area of LaCoste Street.

Annual operations and maintenance costs for the unit are estimated at approximately \$1,200 per year and would be required to be included in annual operating budgets starting in Fiscal year 2023-24.

now, therefore, be it

RESOLVED, that the Project is hereby exempt from environmental review pursuant to CEQA Guideline 15301; and

RESOLVED, that the City Manager is hereby authorized to execute the Cooperative Implementation Agreement in substantial form to Exhibit A, and to accept and appropriate funding from Caltrans for the Project in an amount of six hundred eighty thousand dollars (\$680,000).

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ADOPTED, by the City Council of the City of Emeryville at a regular meeting held Tuesday, June 15, 2021, by the following vote:

AYES:	<u>5</u>	Mayor Martinez, Vice Mayor Donahue, and Council Members Bauters, Medina, and Patz
NOES:	<u>0</u>	
ABSTAIN:	<u>0</u>	
ABSENT:	<u>0</u>	

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MAYOR

ATTEST:

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CITY CLERK

APPROVED AS TO FORM:

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INTERIM CITY ATTORNEY