



CONTRA COSTA  
**CLEAN WATER**  
PROGRAM

CONTRA COSTA CLEAN WATER PROGRAM  
Administrative Committee  
September 1, 2009 Meeting Minutes

Attendance:

**MUNICIPALITY**

City of Antioch (**Chairperson**)  
City of Brentwood  
City of Concord  
Contra Costa County  
City of Pittsburg  
City of Pleasant Hill (**Vice-chairperson**)  
City of Richmond

**ATTENDED**

Phil Hoffmeister  
Jeff Cowling  
Libby Bell  
Dan Jordan  
Jolan Longway  
Rod Wui  
Lynne Scarpa

**ABSENT**

**Non-Voting Members**

Town of Danville  
Flood Control District

Chris McCann  
Greg Connaughton

**Visitors**

Steven Spedowfski

**Program Staff**

Donald P. Freitas  
Tom Dalziel  
Michelle McCauley  
Elisa Wilfong

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- I. Introductory Remarks - Phil Hoffmeister began the meeting at 9:35 a.m. Hoffmeister called for self-introductions. He then proceeded to the published agenda.
  - II. Election – Fiscal Year 2009/10 Administrative Committee Vice-Chair – Hoffmeister asked for nominations for Fiscal Year 2009/10 Administrative Committee Vice-Chair. Rod Wui volunteered to serve as Administrative Committee Vice-Chair.  
  
Co-permittees unanimously approved Rod Wui as Administrative Committee Vice-Chair.
  - III. Annual Report Update – Michelle McCauley stated all but two Annual Report

submittals had been received. Of the municipalities, two did not submit an Attachment E-1 Table, because they had no development activity in FY 2008/09.

- IV. Municipal Regional Permit (MRP) Update – Donald Freitas stated BASMAA representatives recently met with Bruce Wolfe and Tom Mumley of the San Francisco Bay Regional Water Quality Control Board (RWQCB) to try to reach consensus on remaining sticking points of the draft Tentative Order (TO) MRP. At the meeting Mumley distributed a summary of the TO revisions the RWQCB was willing to make. Freitas indicated the meeting was very positive, productive and focused primarily on Low Impact Development (LID) and Trash Reduction. Under LID, Alternative Compliance, Special Projects Credit, Road Widening Projects, Grandfathering, and, Green Street Pilot Projects were covered. Other subjects of interest were Water Quality Monitoring, Mercury and PCBs, and, Conditionally Exempted Discharges. All parties agreed Trash Reduction needed significant revisions. Mumley proposed a follow-up meeting by early September to draft acceptable Trash language. Program staff was still working to maintain flexibility for municipalities to comply with MRP requirements.

Mumley hoped to issue the final draft TO by mid-September. It was clear the RWQCB was pushing to have the TO accepted at the October 14, 2009 hearing. If it is not accepted at the October meeting, it is unlikely to be accepted before the end of the calendar year. Mumley reiterated only oral comments would be accepted at the hearing.

Freitas stated BASMAA was still working hard toward having the TO align with the Fiscal Year calendar. Freitas was also pushing for a reasonable Annual Report design.

BASMAA, now a 501(c), was submitting two grant applications for \$5 million in EPA grant money. One application was for (full capture) Trash, the other for Mercury and PCBs. Freitas explained typically these grant funds had been the domain of the San Francisco Estuary Project and it would be interesting to see what comes of the grant applications. Program staff will keep co-permittees apprised on the status of the grant applications via email.

- V. Proposition 218 Election Update – Freitas stated he was tentatively scheduled to speak at the Public Managers' Association (PMA) meeting on September 9, 2009. Freitas intended to make a presentation on the current status of the MRP and ask for direction on a Proposition 218 ballot measure.
- VI. Discuss Whether to Reschedule the October 6, 2009 Administrative Committee Meeting – Freitas explained the Annual Regional Monitoring Program (RMP) Conference was scheduled for October 6, 2009 and it would conflict with the Administrative Committee meeting. After some discussion, co-permittees decided to keep the October 6, 2009 date for the Administrative Committee meeting, allowing for a possible change of date depending on the re-release date of the MRP.

VII. Approve Draft September 16, 2009 Management Committee Agenda – Freitas added an Action Item regarding the Proposition 218 Election to the Management Committee agenda. Co-permittees approved the Management Committee agenda as amended.

VIII. Program Structure Review – Freitas explained at the August 19, 2009 Management Committee meeting staff was directed to discuss potential revisions to the Program Agreement and the Program's structure with the Administrative Committee. Freitas distributed folders containing the current Program Agreement and drafts of proposed Program structure changes designed to help meet the MRP requirements. It was agreed the proposed Program structure should list two (2) municipal representatives under Staff in each of the BASMAA sub-committees, and, Michelle Luebke of the Department of Conservation and Development should be added to Program staff under the Program's WAM Committee.

Most of the discussion focused on the proposed Program structure, how it would influence a new Program Agreement, and the apparent need for BASMAA to create another committee similar to the Program's Municipal Services & Operations (MSO). Trash would likely be addressed under MSO. Freitas agreed most Program committee meetings would decline in frequency (every 2-3 months) as regional meetings began. Areas of concern identified were:

- Administration of local money to regional projects;
- The communication method for the BASMAA committee attendees to get information to all co-permittees; and
- Method of selection of BASMAA sub-committee representatives.

Questions were asked and answered regarding Program succession planning, the pros and cons of moving Program staff to another location, and possibly another employer. No real analysis could be done to determine potential savings until a side-by-side comparison could be made of costs.

IX. Old/New Business – None.

X. Adjournment - Hoffmeister adjourned the meeting at 11:20 a.m.

**Next Administrative Committee Meeting:**

Tuesday, March 3, 2009

9:30 a.m. to Noon

Conference Room "A"

255 Glacier Drive

Martinez, CA 94553





CONTRA COSTA  
**CLEAN WATER**  
PROGRAM

CONTRA COSTA CLEAN WATER PROGRAM  
Administrative Committee / MRP Special Meeting  
October 6, 2009 Meeting Minutes

Attendance:

**MUNICIPALITY**

City of Antioch (**Chairperson**)  
City of Brentwood  
City of Concord  
Contra Costa County  
City of Pittsburg  
City of Pleasant Hill (**Vice-chairperson**)  
City of Richmond

**ATTENDED**

Phil Hoffmeister  
Jack Dhaliwal  
Jeff Roubal  
David Swartz  
Jolan Longway  
Rod Wui  
Lynne Scarpa

**ABSENT**

**Non-Voting Members**

Town of Danville  
Flood Control District

Chris McCann  
Greg Connaughton  
Mitch Avalon

**Visitors**

City of San Ramon  
City of Pinole  
  
City of San Pablo  
City of El Cerrito  
City of Pittsburg  
City of Walnut Creek  
City of Orinda  
City of Lafayette  
Contra Costa County  
City of Concord  
City of Oakley/Town of Moraga  
Brown and Caldwell

Steven Spedowfski  
Nancy Voisey  
Dean Allison  
Karineh Samkian  
Garth Schultz  
Keith Halvorson  
Scott Wikstrom  
Cathy Terentieff  
Donna Feehan  
Dan Jordan  
Libby Bell  
Frank Kennedy  
Khalil Abusaba

**Program Staff**

Donald P. Freitas  
Tom Dalziel  
Michelle McCauley  
Elisa Wilfong

- I. Introductory Remarks - Phil Hoffmeister began the meeting at 9:30 a.m. Self-introductions were made. Hoffmeister then proceeded to the published agenda.
- II. Municipal Regional Permit (MRP):
  - A. Overview – Donald Freitas began by stating the proposed September 24, 2009 Final Tentative Order for the Municipal Regional Permit (Final Order) is by no means a perfect document and significant challenges remain on how municipalities will implement and fund the many mandates in the Final Order. Despite these challenges, many previously requested changes proposed by BASMAA and municipalities have been incorporated into this Final Order. Regardless, BASMAA is still working with Regional Board staff to resolve a number of significant remaining issues primarily focused on provisions C.8, C.11, and C.12 (i.e., Water Quality Monitoring and Pollutants of Concern), and C.3 (New Development and Redevelopment). Freitas believed San Francisco Bay Regional Water Quality Control Board (Regional Board) staff is intent on the Final Order being adopted at the October 14, 2009 public hearing without significant changes. Dalziel noted the Regional Board hearing begins at 9:00 AM, and the Final Order was item number seven (7) on the agenda. He also noted that because agenda items one (1) through six (6) were either routine reports or uncontested items the Final Order would likely be heard early in the morning (i.e., perhaps as early as 9:30 AM). He urged those attending the hearing to arrive early to find parking and to go through the security check point.
  - B. Issues of Regional/Program Significance – Dalziel first referred to and urged committee members to read Regional Board staff’s “Summary of Changes”, which was distributed with the Final Order. Dalziel then reviewed a handout showing the status of the “Top Five Local Agency Concerns” the Management Committee and the Contra Costa County Public Managers’ Association identified following the release of the December 14, 2007 draft Tentative Order for the Municipal Regional Permit. Next, Dalziel reviewed and discussed another handout outlining the “Top Five Remaining/Unresolved Issues”, specifically:
    1. Development of the Annual Reporting format by April 1, 2010.
    2. Definition of Low Impact Development (LID) and “Special Projects” where non-LID treatment will be allowed.
    3. Establishment of Baseline Trash Loading and Short Term Trash Load Reduction Plan by February 2012.
    4. Though some improvements in Monitoring provisions (i.e., C.8, C.11 and C.12), tasks, schedules and deliverables are very aggressive.
    5. Stormwater Utility Assessment revenues are insufficient to fund MRP mandates.

A lengthy discussion ensued regarding the definition of LID. Dalziel indicated Regional Board staff understood **some** of the challenges and concerns expressed by municipalities regarding this significant change in the definition of LID. However, in an effort to balance municipal concerns with opposing points of view expressed by the National Resources Defense Council (NRDC) and US Environmental Protection Agency (EPA), Regional Board staff was proposing to “punt” on this issue. Specifically, Regional Board staff was proposing in the Final Order that Permittees submit by May 1, 2011 criteria and procedures for determining when rainwater harvesting and re-use, infiltration and evapotranspiration (NRDC and USEPA’s priority LID treatment methods) would be infeasible and feasible. Where NRDC and USEPA’s priority LID treatment methods were determined to be infeasible, Permittees would be allowed to use biotreatment as an acceptable LID treatment method.

- C. SFBRWQCB Staff/BASMAA Meeting – Freitas reported BASMAA was scheduled to meet with Regional Board staff on Wednesday October 7, 2009 to discuss and hopefully resolving remaining significant issues. Freitas then asked if there were any additional significant issues that Program staff should review with Regional Board staff. In response to concerns regarding the cost of the monitoring requirements in the Final Order, Khalil Abusaba, Program Consultant, stated he felt monitoring had been reduced from 3-4 times the current level of effort to about 2 times the current level of effort, and would be manageable. He felt requirements C.11 and C.12 – Mercury and PCBs – were the most expensive and underfunded. Freitas indicated BASMAA continues to raise the resource issues, particularly related to the monitoring provisions; however, he was not hopeful Regional Board staff would accept any further changes to the Final Order.
- D. Public Managers’ Association (PMA) – Freitas reported he was scheduled, per Management Committee direction, to meet and discuss, among other things, the MRP at the October 8, 2009 Contra Costa County PMA meeting. Following a lengthy discussion, Committee members agreed to recommend to the PMA that elected and appointed municipal officials and public managers not be asked to attend and testify at the October 14, 2009 Regional Board hearing.
- E. Central Valley RWQCB – Freitas briefly reviewed Program staff’s efforts to coordinate reissuance of the SFBRWQCB Final Order with the reissuance of the Central Valley RWQCB’s permit for the cities of Antioch, Brentwood, and Oakley and eastern Contra Costa County. Questions were asked and answered.

III. Proposition 218 Election Status Report – Freitas reported Program staff would

be also be requesting direction from the Contra Costa County PMA at their October 8, 2009 meeting, per Management Committee direction, whether the Program should proceed with necessary steps towards conducting a Proposition 218 ballot measure to generate revenues needed to fund existing stormwater mandates and the new mandates contained in the proposed Final Order. A discussion ensued, and questions were asked and answered. Freitas concluded he would report back to the Management Committee at the October 21, 2009 Management Committee meeting.

- IV. Annual Report Status Report – Michelle McCauley reported all co-permittees were included in the Annual Report, which was submitted on DVD to the Central Valley and San Francisco Bay RWQCBs on-time. She stated the Annual Report was posted to the Program website under “Resources.”
- V. Contra Costa County City-County Engineering Advisory Committee (CCEAC) Requests – Freitas explained this item was added to the agenda at the request of Mitch Avalon, acting as liaison between the Program and CCEAC. At the October 2, 2009 CCEAC meeting, some CCEAC members expressed interest in attending the October 6, 2009 Administrative Committee to provide input on the proposed structure of the Program as it prepares to meet the challenges contained in the pending proposed Final Order. Two non-Administrative/Management Committee members from the CCEAC attended the meeting - Dean Allison (City of Pinole) and Keith Halverson (City of Pittsburg). To initiate the discussion, Freitas reported Program staff had not received any suggestions or input from CCEAC members prior to the meeting.

Mitch Avalon began by stating he had not attended the October 2, 2009 CCEAC meeting, but wanted to relay concerns expressed by some members of the CCEAC they were not aware of the activities of the Contra Costa Clean Water Program. Several Management Committee members inquired about this apparent lack of communication, and reiterated it is the responsibility of each Management Committee representative to communicate with staff in that community, as appropriate. Keith Halverson, City Engineer for the City of Pittsburg, indicated he was not aware this was an issue. He explained the City of Pittsburg’s Management Committee representative keeps him informed of all relevant matters of the Program. Both Mitch Avalon and Frank Kennedy indicated only about 1/3 of the cities regularly attend the CCEAC. Freitas indicated part of the Program’s overhead charges includes time for Mitch Avalon to act as a liaison between the Program and the CCEAC. Dalziel also indicated several CCEAC members receive the Management Committee’s monthly agenda packet materials, which contain meeting minutes from all subcommittees, presentation materials, staff reports, and all actions taken by the Management Committee.

After some discussion, CCEAC representatives offered no specific suggestions

regarding the Management Committee's proposed organizational structure. In addition, Mitch Avalon indicated the issue of communication appeared to be limited to just a few municipalities, and as such was an internal city matter.

- VI. Approve Draft October 21, 2009 Management Committee Agenda – Co-permittees approved the Draft October 21, 2009 Management Committee Agenda as submitted.
- VII. Old/New Business - Michelle McCauley stated:
- The Inspection Agreement was before the Board of Supervisors for Approval on October 6, 2009 and was expected to pass. The next step was for County Counsel to draft resolutions approving the amendment to the Stormwater Utility Agreement (SUA), the main document to which the Inspection Agreement is Exhibit A. The challenge was that not all municipalities came on board at the same time and are not all at the same amendment count. These variations will need to be reviewed city by city. Furthermore, the Program needs to draft a special resolution for the City of Richmond who is joining the Inspection Program, but is not part of the SUA.
  - The Program's fall media campaign launched and the Beach/Soccer ad played during the Monday Night Football game. The Program also launched a Facebook Fan page. The Program's website homepage has a button referring to our Facebook page and vice-versa.
- VIII. Adjournment - Hoffmeister adjourned the meeting at 11:35 a.m.

**Next Administrative Committee Meeting:**

Tuesday, November 3, 2009  
9:30 a.m. to Noon  
Conference Room "A"  
255 Glacier Drive  
Martinez, CA 94553



**ATTENDEES**

**Members:** Steven Spedowski, Chairman, City of San Ramon  
Laura Wright, Vice-Chair, City of Pittsburg  
Julie Haas-Wajdowicz, City of Antioch  
Greg Connaughton, Flood Control District  
Karineh Samkian, City of San Pablo  
Lori Monte, City of Brentwood  
Dan Jordan, Contra Costa County  
Lynne Scarpa, City of Richmond

**Staff:** Michelle McCauley, Administrative Analyst

**Consultant:** O’Rorke, Inc. – Tracy Keough, Emiko Hashisaki, Kristen Priddy

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**MEETING DATE:** September 23, 2009

**NOTES BY:** Tracy Keough

**SUBJECT:** PEIO Meeting # 2

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- I. **Introductions.** Meeting commenced at 10:07 AM.
- II. **BayROC Campaign.** Committee members discussed the current BAYROC “Bring Your Own Bag” campaign. O’Rorke would circulate the print creative featuring the tag line “What does your bag say about you?” and forward the link to the new “Yay!” television ad. Karineh Samkian made a motion for Michelle McCauley to explore joining BAYROC, for a cost not to exceed \$1000, provided the money comes out of existing funding. Julie Haas-Wajdowicz seconded. Passed unanimously.
- III. **Facebook Update.** McCauley announced the Committee voted unanimously not to commission O’Rorke to build a Program Facebook fan page. McCauley was creating the page but will have O’Rorke help build a link from the Program website to the Facebook page. The Committee agreed the Facebook URL should stay consistent with the Program website URL.
- IV. **O’Rorke Media Update.** Tracy Keough then presented an update on the Media Event, set to take place on 10/7/2009 at 10 AM at the Walnut Creek BART Station. Keough outlined the talking points for all speakers to the Committee, and Haas-Wajdowicz volunteered to serve as the PEIO speaker,

accompanied by her daughter. Keough would send media advisory and event invitations to the Committee for members to forward to appropriate staff and community attendees. O'Rorke would send web banners from the media campaign to Committee members so these could be posted on their City websites.

The Committee agreed all members would reach out to their respective libraries to reserve display case space for February, March and April 2010. Laura Wright suggested leveraging the fact that county libraries' operating costs are supplemented by City funds; this would be an ideal time for Committee members to reach out and make the request. O'Rorke would still produce postcards for all libraries to be distributed with other fall campaign elements.

**V. Committee Roundtable Discussion.** McCauley introduced three programs up for discussion: a Yardscaping program, a Carwash Coupon program, and a Cigarette Butt Campaign. The Committee elected to include a link on the website to the local Bay-Friendly Landscaping program, rather than the site from Maine. The Committee agreed to create a link to the Contra Costa Water District's carwash coupon page which covers East and Central County to promote it rather than creating their own program. McCauley would contact EBMUD to see if they have or would consider creating a similar carwash coupon program in EBMUD jurisdictions. Members would also like to see information promoting self-washes on the website. Committee members liked the Cigarette Butt Campaign, but Samkian noted that since the Committee is about to run a large scale campaign on litter, which includes cigarette butts, too many varying messages might be overwhelming to residents.

**VI. Confirm Action Items.** Keough would like to see a list or data on items collected by those Cities who participated in Costal Clean-up Day to be used in the Press Event materials. O'Rorke will continue to move forward with media and the Press Event.

**VII. Adjournment.** The meeting adjourned at 11:21 AM.

**Next Regular Meeting:  
Wednesday, Oct 28  
10:00 – 12:00PM  
255 Glacier Drive, Martinez, CA**