



AGENDA REPORT

PROPOSED ACTION: **Resolution:** Approve the Port of Oakland Sanitary Sewer System Corrective Action Work Plan, Delegate Authority to the Executive Director to Approve Future Amendments to the Corrective Action Work Plan and Find that the Proposed Action is Exempt Under the California Environmental Quality Act. **(Engineering)**

Submitted By: Kristi McKenney, Chief Operating Officer; Danny Wan, Executive Director

Parties Involved: n/a

Amount: None for FY 2023¹

EXECUTIVE SUMMARY:

The Port of Oakland (Port) must maintain a Sanitary Sewer System Corrective Action Work Plan (CAWP) as part of the requirements of the Port's Private Sewer Lateral Ordinance (Port PSL Ordinance). Port Staff previously prepared a Condition Assessment Plan (CAP) and is now near completion of fully executing that plan, including an extensive assessment of the majority of its sanitary sewer system assets. In parallel, Staff have made significant progress on rehabilitation and replacement of the Port's sanitary sewer system expediting improvements deemed appropriate based on the assessments. Staff has also now completed the CAWP for Board of Port Commissioner (Board) Approval.

BACKGROUND & ANALYSIS

The Board adopted the Port PSL Ordinance (Ordinance 4474) on May 10, 2018. The Port PSL Ordinance requires Port tenants to comply with PSL regulations promulgated by the City of Oakland (City) and the East Bay Municipal Utility District (EBMUD) as modified to apply to the Port Area and Port-owned land. The Port PSL Ordinance also directs Port staff to prepare a Port Condition Assessment Plan (CAP) to assess Port-controlled PSLs. Upon completion of the CAP, the Port PSL Ordinance also requires Port Staff to prepare a Port Corrective Action Work Plan (CAWP) which describes the type, quantity, and schedule of work needed to bring all Port controlled sewer assets into compliance with EBMUD maintenance standards.

The CAP was completed and adopted and the Board on June 13, 2019, via Resolution 19-45. Staff has now completed and seeks Board approval of the CAWP. Staff further seeks delegation of authority to the Executive Director to make future amendments to the CAWP. Amendments may include, but are not limited to, changes to project status,

¹ There is no immediate fiscal impact associated with the approval and re-certification of the Port's 2023 SSMP. However, implementation of sanitary sewer program audits (expense funded) may require additional funding sources.

scheduled completion dates, method of rehabilitation, additions or deletions of segments, designation of Legally Responsible Official.

The CAWP reflects the approximate timeline to rehabilitate and replace specific sewer segments. The rehabilitation and replacement of future sewer segments is also programmed in the FY 2024-2028 Capital Improvement Plan (CIP) (past work was included in prior years' CIPs). Efforts to rehabilitate and replace the sewers started around the time of the completion of the CAP and well ahead of the development of the CAWP. As a result, Port Staff is pleased to note that a considerable number of the sewer segments identified in the CAWP are either completed, in design, or in construction. Most of the remaining construction is scheduled to take place in FY 2023/2024 and FY 2024/2025 and taper to completion in FY 2025/2026.

Attachment:

1. Port of Oakland Sewer System Corrective Action Work Plan, May 2023

OTHER FINDINGS AND PROVISIONS

ENVIRONMENTAL REVIEW

The proposed action was analyzed under the California Environmental Quality Act (CEQA) and was found to be:

- ☒ Categorically exempt under the following CEQA Guidelines Section:

15302 (Replacement or Reconstruction)

- ☐ Not a "Project" under CEQA, as defined in Public Resources Code § 21065.

- ☒ Other/Notes:

The proposal to approve the sewer lateral Corrective Action Work Plan was reviewed in accordance with the requirements of the California Environmental Quality Act (CEQA). The action, which entails preparation of a work plan that includes the type, quantity, and schedule of work needed to rehabilitation sewer laterals and does not result in a serious or major disturbance to an environmental resource and no further CEQA review is required.

BUDGET

- ☒ Administrative (No Impact to Operating, Non-Operating, or Capital Budgets); OR
- ☐ Operating ☐ Non-Operating ☐ Capital

Analysis: There is no immediate fiscal impact associated with the approval of the CAWP. However, implementation of related sanitary sewer programs may result in additional capital expenditures, require additional funding sources, and potentially impact staffing requirements. Any future increase in budget and staffing required to implement the CAWP would be brought to the Board for consideration and approval at a future date.

STAFFING

- ☒ No Anticipated Staffing Impact.
- ☐ Anticipated Change to Budgeted Headcount.
- Reason:
- ☐ Other Anticipated Staffing Impact (e.g., Temp Help).
- Reason:

**MARITIME AND AVIATION PROJECT
LABOR AGREEMENT (MAPLA):**

Applies? No (Not Aviation or Maritime CIP Project) – proposed action is not covered work on Port's Capital Improvement Program in Aviation or Maritime areas above the threshold cost.

- ☐ Additional Notes:

LIVING WAGE (City Charter § 728):

Applies?

No (No Covered Agreement) – proposed action is not an agreement, contract, lease, or request to provide financial assistance within the meaning of the Living Wage requirements.

- ☐ Additional Notes:

SUSTAINABLE OPPORTUNITIES:

Applies? **No.**

Reason:

Port Staff reviewed the Port's 2000 Sustainability Policy and did not complete the Sustainability Opportunities Assessment Form for the CAWP. When individual sewer rehabilitation or maintenance projects are considered for implementation, staff will review each project for sustainability opportunities.

GENERAL PLAN (City Charter § 727):

Conformity Determination:

No Project – conformity determination not required because proposed action does not change use of or make alterations to an existing facility, or create a new facility.

STRATEGIC PLAN. The proposed action would help the Port achieve the following goal(s) and objective(s) in the Port's Strategic Business Plan:

- | | |
|--------------------------------------------------------------|---------------------------------------------------------------------------|
| <input type="checkbox"/> Grow Net Revenues | <input checked="" type="checkbox"/> Modernize and Maintain Infrastructure |
| <input checked="" type="checkbox"/> Improve Customer Service | <input type="checkbox"/> Pursue Employee Excellence |
| <input type="checkbox"/> Strengthen Safety and Security | <input type="checkbox"/> Serve Our Community |
| <input checked="" type="checkbox"/> Care for Our Environment | |