



STAFF REPORT

Analysis of the Feasibility of a Public Works Commission and Request for Direction from City Council

Honorable Mayor and City Council:

Summary

The City Council established a priority calendar item to analyze the feasibility of a Public Works Commission. This report summarizes the analysis and requests City Council to provide direction to staff.

Background & Discussion

In the spring of this year, the City Council set a priority calendar item to investigate the establishment of a Public Works Commission.

The City of Belmont does not have a formal hearing body made up of residents to review public works related items and make recommendations to City Council. The City does have a Traffic Safety Committee that reviews any parking and traffic related complaints to the City.

The Traffic Safety Committee consists of professional staff from the Public Works, Police, and Community Development departments, as well as South County Fire Authority. The initial traffic safety or parking concern is filed with the Public Works Department. Public Works staff then conducts the necessary field investigation, collects traffic speed and volume data, reviews collision history and undertakes any analysis for the Traffic Safety Committee to review.

The Traffic Safety Committee meets on the first Thursday of each month. Staff notifies the individual who submitted the concern and all the residents within 300 feet. If we anticipate the subject concern will affect a larger area, we will notify the residents within the area that may be affected. The Traffic Safety Committee hears any public testimony and reviews the material provided by staff. The Committee will ask for additional information or will make a recommendation to City Council for the installation of any parking or traffic control device. In

response to concerns by City Council, we have been notifying the individual who filed the concern that any appeals to the findings of the Traffic Safety Committee may be made to the City Council.

Staff surveyed thirty-two cities throughout the Bay Area to determine what agencies have a public works commission. Eighteen of the surveyed cities are in San Mateo County, six cities are in Santa Clara County and 8 cities are in Alameda County. The following table summarizes the findings of the survey, as well as providing the size of the city and the amount of public works engineering and clerical staff.

PUBLIC WORKS COMMISSION SURVEY					
CITY	POPULATION	# OF PUBLIC WORKS ENGINEERS (INCL DIRECTOR)	# OF ADMIN SUPPORT	PUBLIC WORKS COMMISSION	TRAFFIC COMMISSION
SAN MATEO CO.					
BELMONT	26,000	5	2	NO	NO
ATHERTON	7,100	2	1	NO	NO
BURLINGAME	26,100	10	2	NO	YES
COLMA	1,200	4	1	NO	NO
DALY CITY	103,700	2	5	NO	NO
EAST PALO ALTO	29,500	2	1	YES	NO
FOSTER CITY	28,800	10	4	NO	NO
HALF MOON BAY	11,800	1	4	NO	NO
HILLSBOROUGH	10,800	3	2	NO	NO
MENLO PARK	30,700	11	4	NO	NO
MILLBRAE	20,700	2	2	NO	NO
PACIFICA	38,400	5	1	NO	NO
PORTOLA VALLEY	4,500	1	0	YES	YES
REDWOOD CITY	75,400	2	4	NO	NO
SAN BRUNO	40,100	6	2	NO	YES
SAN CARLOS	27,700	2*	1	NO	NO
SO. SAN FRAN	60,500	2	1	NO	NO
SAN MATEO	92,500	12	4	YES	YES
SANTA CLARA CO.					
MOUNTAIN VIEW	70,700	16	5	NO	YES
PALO ALTO	62,000	16	15	NO	YES
SUNNYVALE	131,700	4	5	NO	NO
SANTA CLARA	102,300	8	3	NO	NO
CAMPBELL	38,100	9	3	NO	NO
MILPITAS	62,700	12	3	NO	NO

ALAMEDA CO.					
HAYWARD	140,600	13	4	NO	NO
SAN LEANDRO	79,500	8	3	NO	NO
BERKELEY	102,700	18	3	YES	YES
ALBANY	16,400	1	1	NO	NO
FREMONT	203,400	25	3	NO	NO
NEWARK	42,500	5	2	NO	NO
PLEASANTON	63,600	10	5	NO	YES
LIVERMORE	73,300	11	3	NO	NO

***Contract Employees**

The survey indicates that there are four cities that have a Public Works Commission. They are East Palo Alto, Portola Valley, San Mateo and Berkeley. There are four cities that have a Traffic Commission. They are Burlingame, San Bruno, Mountain View, and Pleasanton. The cities that have either a Public Works Commission or a Traffic Commission range in population from 4,500 (Portola Valley) to 102,700 (Berkeley).

Follow-up discussions with Portola Valley indicated their Commission is more a committee of volunteers that addresses mostly traffic related issues. East Palo Alto indicated their Commission mostly deals with traffic related issues and potholes. The Public Works Commissions for both cities review and make recommendations to City Council. The City of Berkeley advises the Council on maintenance, repair, and capital improvements of streets, sidewalks, sanitary sewers, storm drains, city buildings, communication systems, vehicles and equipment and undergrounding of utilities.

The City of San Mateo has a public works commission that members of Council may be familiar with. The commission meets once a month and reviews a wide variety of topics, but the City of San Mateo's Public Works Director indicates that about 80 percent of the issues that are reviewed by the Public Works Commission is traffic and parking related. The City of San Mateo has a population of 92,500 and the public works department has an engineering staff of 12 engineers including the director and a clerical staff of six.

There were several agencies surveyed (Burlingame, Portola Valley, San Bruno, Mountain View and Pleasanton) which had a Traffic Commission to review and comment on parking and traffic related issues. In several of these cities, the City Manager, or their designee, was authorized by Council to install parking restrictions and traffic control devices. The Traffic Commission was used as an appeal board to any of staff's decisions.

Public Works Commission Responsibilities

The City of San Mateo's Public Works Commission is routinely used to review and comment on any public works related policies and procedures before they are considered by the City Council.

The specific powers of the Public Works Commission as read in their ordinance establishing the Commission reads “the commission shall consider the needs of the department of public works and develop policy for construction and maintenance programs; study and recommend to council requests from the public for public works construction or policy changes; and review traffic problems and recommend actions to the council.

The commission may make recommendations to any other board or commission of the city with respect to any action the commission believes should be taken or upon which it has been requested to advise.”

Some of the issues that have been reviewed and commented on by the Public Works Commission over the past year or so include: BFI rates, taxi cabs, recycling ordinance, traffic policies, FEMA maps, valet parking requests, residential permit program.

It should be noted that in San Mateo the City has designated the City Manager, or his designee, with the responsibility of establishing parking restrictions and the installation of other traffic control devices like stop signs. The appeal of the decision of the City Manager, or designee, would go to the commission for review and recommendation to the City Council.

Existing Policies Adopted by City Council

The City of Belmont has adopted several policies for residential parking and traffic related concerns. The adopted policies are:

- Neighborhood Traffic Calming Program
- Installation of Speed Humps
- Installation of Stop Signs
- Parking Policy (final adoption scheduled for January, 2005)

The California Vehicle Code requires City Council or their designee to implement any parking restrictions or the installation of any traffic control device.

Other issues such as the establishment of sewer fees, solid waste and recycling fees, and NPDES fees all require public hearings before City Council adopts a resolution. It is generally the practice for the City Council to adopt a resolution for any grant the City may be applying.

Cost Considerations for a Public Works Commission

The funding for a Public Works Commission would come primarily, but not entirely, from the General Fund. The funding for any issue discussed by the Public Works Commission that was related to sewers, storm drains, and NPDES would be budgeted in their respective fund.

The cost associated with each of the issues needs to be budgeted within the appropriate funds. The following summarizes the various funding sources and what issues would be covered by each of the funds.

Issue	Funding Source
Parking Restrictions	General Fund
Traffic Calming	General Fund
Stop Signs	General Fund
Speed Humps	General Fund
Garbage Rates	General Fund
Recycling	General Fund
Sewer related Issues	Sewer Fund
Storm Drain Related Issues	Storm Drain Fund
FEMA Maps	Storm Drain Fund
NPDES Related Issues	NPDES
Street Sweeping	NPDES

The overall staff time associated with the preparation of an item to be considered by a Commission will be more than the cost associated with a Council agenda item. In addition to the time associated with preparing the actual staff report, the cost associated with establishing the agenda, preparation of agenda items, public noticing, taking minutes, preparation of minutes, and follow-up to the Commission will be additional time and expense to the Public Works Department that are not realized directly by the department for a City Council agenda item.

The City of San Mateo typically has one or two agenda items per commission meeting. They indicate that for each commission meeting the average staff time spent is approximately 13 to 17 person hours. There is approximately 3 person hours preparing an agenda item; another 4 person hours preparing the agenda, noticing, and preparing the agenda packet; between 4 and 8 person hours staffing the commission meeting; and another 2 person hours doing the minutes and commission follow-up.

Discussions with the Community Development Department regarding the staff time required for staffing the Planning Commission indicate approximately 20 person hours per case. This includes all the staff person hours associated with the preparation of staff reports on through to staffing and taking minutes at the meetings. This is consistent with the City of San Mateo's experience for staffing a commission. The cost for staffing a public works commission would range between \$2,040 to \$2,400 per issue reviewed, based upon the staff experiences from the cities of San Mateo and Belmont.

There are currently no fees associated with the review and comment of public works related issues. The cost would have to come out of the General Fund (or other relevant fund) unless some type of review fee schedule is developed to offset the costs.

Alternatives

Establish a Public Works Commission: This alternative would establish a new Public Works Commission. Experience from other cities indicates that a monthly Commission meeting would be sufficient to address the issues typically handled by the commission.

Pros: The City Council would have a hearing body to review and comment on any public works related issue prior to the City Council consideration of the issue. The commission may also be used as an appeal hearing board for any issues that may be declined by the Traffic Safety Committee. Ultimately, the commission would develop an expertise in public works related issues.

Cons: The establishment of a commission will require an additional allocation of staff resources or a realigning of existing staff duties. There will be an additional cost to the City for the staffing of a commission. It is estimated that this will range in cost of about \$2,040 to \$2,400 per meeting. The annualized costs would range between \$24,500 and \$29,000. It is estimated that the vast majority of issues the commission reviews will be parking or traffic related and the cost associated will come from the General Fund. A significant amount of time will be required by staff to develop the necessary understanding by the commission of public works related issues.

Over the last two and one half years, the few controversial public works issues seemed to have been traffic related and often from programs that were implemented prior to many of the existing staff being involved. The Traffic Safety Committee responds to the vast majority of the public's concerns. There are now adopted City Council policies for most of the parking and traffic related issues that would be reviewed by the commission.

Issues: If the Council pursues this option, the City would need to determine the number of members and scope of responsibilities, then initiate a recruitment.

Designate the Planning Commission as the Hearing Board for Public Works related Issues: This alternative would use the Planning Commission as the hearing body to review and make recommendations to City Council. This alternative could also function as the appeal body for any individual who wishes to appeal the decision of the Traffic Safety Committee. The Planning Commission currently meets twice a month. The facilitation of public works related issues by the Planning Commission could be accommodated in a number of ways: by an additional meeting each month dedicated specifically to public works related issues; have the Planning Commission start an hour earlier to address public works related issues; or establish a sub-committee of Planning Commissioners to met on a monthly basis to review and comment on public works related issues.

In the City of San Leandro uses their Planning Commission as a preliminary hearing board and to provide Council comments on traffic related issues that may be considered controversial. The

Planning Commission has actually been used twice in the last 3 years as a hearing board on traffic related items.

Pros: There is an existing commission in place. The commission will review and provide a recommendation on certain public works related issues to the City Council. Ultimately, the commission will develop an understanding of public works related issues. The commission would only be needed when issues arise and regularly scheduled meetings would not be required.

Cons: The use of the Planning Commission will require an additional allocation of staff resources or a realigning of existing staff duties. There will be an additional cost to the City for the staffing of a commission. It is estimated that this will cost slightly less than the \$2,040 to \$2,400 per meeting for a full Public Works Commission due to some issues already being undertaken (agenda preparation, etc.). However, much of the work is non-redundant, as it would need to be done by different staff. The current backlog for the Planning Commission for hearings is approximately 3 months. The review and commenting on public work related issues may increase the time it takes for a development project to be reviewed. There is no fee structure set up to offset the costs associated with any public works related issue. A fee structure would need to be established or other funds budgeted to offset the cost associated with the review of public works related issues.

Issues: If this option is pursued, the Council would need to define the scope of responsibilities. The scope might be more limited than a full Public Works Commission. Council may also want to seek input from the Planning Commission on the issue and logistics involved before taking final action.

Add two public members to Traffic Safety Committee:

Pros: The addition of public members will provide an additional perspective above and beyond the applicant's or the affected residents' perspective at the meetings. It also provides a "lay" perspective to the policy and technical issues. There is an existing committee in place and no additional cost or staff time will be required. The applicant is notified that they have the right to appeal the decision to City Council. There have been no appeals to Council since that notification began approximately 6 months ago.

Cons: The Traffic Safety Committee consists of professional and technical staff that has the expertise that a member of the public may not. It will take staff time to educate the public members about the parking and traffic related issues. Any appeals to the Traffic Safety Committee would be directly to City Council.

Issues: if this option is pursued, the Council would need to establish term lengths and undertake a recruitment.

No changes to Existing System.

Pros: There will be no cost implications to the General Fund.

Cons: There will be no review of public works related issues other than what is currently provided by the Traffic Safety Committee. There will be no appeal body to review and make recommendations to the City Council on any decision made by the Traffic Safety Committee or to give advance review of public works issues prior to Council consideration.

Fiscal Impact

The fiscal impact is dependent upon which alternative City Council selects. There will be impacts on the General Fund, and other funds, for the establishment of a Public Works Commission as well as using the Planning Commission, up to approximately \$29,000.

Conclusion

Staff is seeking direction from City Council as to what alternative they wish to proceed with. There may be other alternatives or “hybrids” the Council is interested in pursuing. The establishment of a Public Works Commission or the use of the Planning Commission will require additional General Fund and other resources. If either of these alternatives is selected, staff will return with the necessary enabling ordinances, as well as any other follow-up actions. If Council chooses an alternative requiring additional funds, staff recommends it be implemented next fiscal year when the Public Works Departmental budget for FY 05-06 would reflect the additional costs.

Attachments

None

Respectfully submitted,

Raymond E. Davis, III, P.E., PTOE
Director of Public Works

Daniel Rich
Interim City Manager