

**MINUTES OF THE
SAN JOSE/SANTA CLARA
TREATMENT PLANT ADVISORY COMMITTEE**
City Hall, City Manager's Office, 17th Floor, Room 1734
Thursday, October 09, 2014 at 4:30 p.m.

1. ROLL CALL

Minutes of the Treatment Plant Advisory Committee convened this date at 4:30 p.m. Roll call was taken, with the following members in attendance:

Committee members: Committee Chair Chuck Reed, Committee Members, Jose Esteves, John Gatto, Pat Kolstad , Alex Gurza, Jaime Matthews, and Chuck Page

Absent: Kansen Chu, Madison Nguyen

2. APPROVAL OF MINUTES

- A. September 11, 2014
Item 2.A was approved.
Ayes - 6
Nays - 0
Absent - 3

3. UNFINISHED BUSINESS/REQUEST FOR DEFERRALS

4. DIRECTORS REPORT

- A. Directors Verbal Report:
- Monthly Progress Report
 - Supplemental Memorandum
- Approval of the use of the design-build project delivery method for the cogeneration facility project at the San Jose-Santa Clara Regional Wastewater Facility

5. AGREEMENTS/ACTION ITEMS

- A. Approve master agreements between the City of San José and the following firms for special inspection and materials testing services for various capital improvement projects at the San José-Santa Clara Regional Wastewater Facility for a 5-year term beginning upon execution of the agreements through December 31, 2019, subject to the appropriation of funds:
1. Construction Testing Services, Inc. in an amount not to exceed \$500,000; and
 2. Signet Testing Laboratories, Inc. in an amount not to exceed \$500,000

The proposed master agreements are scheduled for Council consideration on October 28, 2014.

Motion by Committee Member Matthews, second by Committee Member Page to approve items 5.A., 5.B and 5.D.

Ayes – 7

Nays – 0

Absent - 2

B. Adopt a resolution authorizing the City Attorney to do the following:

1. Negotiate and execute a legal services contract with Hawkins, Delafield & Wood LLP to support the San José-Santa Clara Regional Wastewater Facility capital improvement program for an initial one-year term with compensation not to exceed \$180,000.00; and
2. Exercise up to two one-year options extending the legal services contract with Hawkins, Delafield & Wood LLP with compensation for each option year not to exceed \$160,000 plus any funds remaining from the previous contract year, subject to appropriation of funds by the City Council.

The proposed resolution for authority to negotiate and execute a legal services contract with Hawkins, Delafield & Wood LLP is scheduled for Council consideration on October 28, 2014.

Motion by Committee Member Matthews, second by Committee Member Page to approve items 5.A., 5.B and 5.D.

Ayes – 7

Nays – 0

Absent - 2

C. Accept this status report on the reissuance of the San José-Santa Clara Regional Wastewater Facility Discharge Permit and update on the health of the South San Francisco Bay.

The status report on the reissuance of the San José-Santa Clara Regional Wastewater Facility Discharge Permit and update on the health of the South San Francisco Bay is scheduled for Council consideration on October 28, 2014.

Motion by Committee Member Gatto, second by Committee Member Page to approve item 5.C.

Ayes - 7

Nays – 0

Absent – 2

David Wall, Public, spoke on this item.

- D. San José-Santa Clara Regional Wastewater Facility Semi Annual Capital Improvement Program Semi Annual Status Report January-June 2014.

The San José-Santa Clara Regional Wastewater Facility Semi Annual Capital Improvement Program Semi Annual Status Report January-June 2014 is scheduled for Council consideration on October 28, 2014.

Motion by Committee Member Matthews, second by Committee Member Page to approve items 5.A., 5.B and 5.D.

Ayes – 7

Nays – 0

Absent - 2

6. **OTHER BUSINESS/CORRESPONDENCE**

7. **STATUS OF ITEMS PREVIOUSLY RECOMMENDED FOR APPROVAL BY TPAC**

- A. Proposed Ordinance to Amend the Sewer Use Regulations

Staff Recommendation: Approve an ordinance amending Chapter 15.14 of Title 15 of the San Jose Municipal Code to add a new Section 15.14.248 and amend Section 15.14.755 to add a new definition of the Clean Water Act and modify permit conditions to allow the transfer of discharge permits in the event of a change of ownership.

The Proposed Ordinance to Amend the Sewer Use Regulations was approved by Council on September 16, 2014.

David Wall, Public, spoke on this item.

- B. Approval of Citywide Insurance Renewals and Related Appropriation Ordinance Amendments in the Convention and Cultural Affairs Fund

Staff Recommendation:

- (a) Adopt a resolution authorizing the City Manager to select and purchase certain City property and liability insurance policies for the period October 1, 2014 to October 1, 2015, at a total cost not to exceed \$1,700,000 for all policies, with the following insurance carriers, subject to the appropriation of funds:
- (1) Lexington Insurance Company, Boston, MA for Property Insurance, including Boiler & Machinery.
 - (2) QBE Insurance for Airport Owners and Operators Liability including War Risks & Extended Perils Coverage (Primary and Excess) and Police Aircraft Hull & Liability including War Risks & Extended Perils
 - (3) Travelers - or other insurers that the City is currently in negotiations with - for Automobile Liability (Airport fleet vehicles including Shuttle Buses,

Regional Wastewater Facility fleet vehicles, and Airport Shuttle Bus physical damage.

- (4) Indian Harbor Insurance Company for Secondary Employment Law Enforcement Professional Liability.

- (b) Adopt the following 2014-2015 Appropriation Ordinance amendments in the Convention and Cultural Affairs Fund:
 - (1) Increase the Insurance Expenses appropriation to the Finance Department for Insurance Expenses by \$11,000; and
 - (2) Decrease the Ending Fund Balance by \$11,000.

The Approval of Citywide Insurance Renewals and Related Appropriation Ordinance Amendments in the Convention and Cultural Affairs Fund was approved by Council on September 23, 2014.

- C. Approval of the Use of the Design Build Project Delivery Method for the Cogeneration Facility Project at the San Jose–Santa Clara Regional Wastewater Facility

Staff Recommendation: Adopt a resolution approving the use of the design-build project delivery method in accordance with California Public Contract Code Section 20193 for the construction of the Cogeneration Facility Project, which is estimated to cost in excess of \$2,500,000.

The Approval of the Use of the Design Build Project Delivery Method for the Cogeneration Facility Project at the San Jose–Santa Clara Regional Wastewater Facility was approved by Council on October 7, 2014.

8. REPORTS

- A. Open Purchase Orders Greater Than \$100,000 (including Service Orders)

The attached monthly Procurement and Contract Activity Report summarizes the purchase and contracting of goods with an estimated value between \$100,000 and \$1.08 million and of services between \$100,000 and \$270,000.

Item 8.A was approved to note and file.

9. MISCELLANEOUS

- A. The next TPAC meeting is November 13, 2014, at 4:30 p.m. City Hall, 1734
- B. A Special TPAC Study Session on CIP Financing is scheduled for November 13, 2014, at 3:30 p.m. City Hall, 1734, prior to the regular TPAC meeting at 4:30 p.m.
- C. A Special TPAC Study Session on Biosolids is scheduled for November 20, 2014 at 4:00 p.m. in City Hall Wing Committee Rooms 118-120

10. **PUBLIC COMMENT**

David Wall spoke about the status of the PRA for South Bay Water Recycling.

11. **ADJOURNMENT**

A. The Treatment Plant Advisory Committee adjourned at 4:50 p.m.

A handwritten signature in cursive script that reads "Chuck Reed".

Chuck Reed, Chair
Treatment Plant Advisory Committee