

**MINUTES OF THE  
SAN JOSÉ/SANTA CLARA  
TREATMENT PLANT ADVISORY COMMITTEE**  
City Hall, Environmental Services, 10<sup>th</sup> Floor, Room 1047  
Thursday, August 14, 2008 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 then taken, with the following members in attendance:

Committee members: Patricia Mahan (Chair), Ed Shikada, Bob Livengood, Kevin Moore, Madison Nguyen, Curtis Harrison, Chuck Reed, Nora Campos.

Staff present: Monica Perras, Bhavani Yerrapotu, John Stufflebean, Mollie Dent, Kirsten Struve, Dale Ihrke.

Others present: Nanci Klein, Barbara Goldstein, Paul Krutko, Ru Weerakoon, (City of San Jose), Kathleen Phalen, (City of Milpitas), Steve Machida (Cupertino Sanitary District), Jerry Strangis (Strangis Property), Joey McCarthy (McCarthy Properties), David Wall (San José City Resident).

**2. APPROVAL OF MINUTES**

Minutes of June 12, 2008.

Motion by Committee member Harrison and Second by Committee member Reed to accept the minutes of June 12, 2008.

**3. UNFINISHED BUSINESS**

None

**4. CORRESPONDENCE**

A. Information Memo regarding McCarthy Property

Motion to note and file Item 4.A unanimously approved.

B. Information Memo regarding “No Drugs Down the Drain” Campaign

Motion by Committee Member Livengood and Second by Committee member Moore to accept Item 4.B.

**5. REPORTS**

A. Open Purchase Orders Greater Than \$100,000

The attached monthly Procurement and Contract Activity Report summarizes the purchase and contracting of goods with an estimated value between \$100,000 and \$1 million and of services between \$100,000 and \$250,000.

Motion by Committee Member Harrison and second by Committee Member Campos to accept the Open Purchas Orders

6. **AGREEMENTS**

A. Technical Committee Recommendation (Handout)

Motion by Committee Member Harrison and seconded by Committee Member Campos to accept the recommendation.

B. Action Item – TPAC Recommendation for Approval Requested

1. Nomination and election of TPAC Chair for the term of August 14, 2008 through June 11, 2009.

Motion by Committee member Harrison and second by Committee member Moore to accept the nomination by Committee member Campos of Committee member Reed as Chair and Bob Livengood as Vice Chair for the Treatment Plant Advisory Committee for the term of August 14, 2008 through June 11, 2009.

C. Action Item – TPAC Recommendation for Approval Requested

**The following items are scheduled to be approved by the San Jose City Council on August 19, 2008:**

1. Approval of a change order for the project entitled, “San José/Santa Clara Water Pollution Control Plant Reliability Improvements Project,” for a total negotiated amount of \$301,300 with no change to the term of contract with Kiewit Pacific Company.
2. Approval of a contingency budget increase and contract extension for the project entitled, “San Jose/Santa Clara Water Pollution Control Plant, FY 2007/2008 Capital Improvement Program, East Primary Influent Channel Repair Project,” by \$70,000 and contract schedule extension from June 18, 2008 to October 16, 2008, with Anderson Pacific Engineering Construction, Inc.
3. Adopt a resolution authorizing the City Manager to negotiate and execute amendments to Agreements among the cities of San José, Santa Clara and Milpitas and Cupertino Sanitary District to reflect the transfer of 0.75 million gallons of capacity in the San José/Santa Clara Water Pollution Plant from Cupertino Sanitary District to the City of Milpitas.

4. Adopt a resolution authorizing the City Manager to negotiate and execute a Grant Agreement with Mansion Grove Apartments in an amount not to exceed \$220,000 for retrofit of recycled water facilities.
5. Actions Related to Public Art Ordinance Revisions:
  - (a) City Council adoption of an Ordinance amending Title 22 of the San Jose Municipal Code modifying the basis for calculating the percent for public art in City and Agency Capital Improvement Projects and other changes to implement portions of the Public Art Master Plan approved by City Council on March 13, 2007.
  - (b) City Council adoption of an Ordinance amending Section 4.04.020 of Title 4 of the San Jose Municipal Code to increase administrative contract authority for public art contracts, grant agreements and sponsorship agreements to \$250,000.
  - (c) Adopt of resolutions by the City Council and Redevelopment Agency Board rescinding City Council Resolution No. 64284 and Redevelopment Agency Board Resolution No. 3606, with the rescission to be effective upon the effective date of the foregoing ordinance.
  - (d) Direct the City Manager and Executive Director to return to Council in August for Policy discussion and consideration regarding the Public Art Master Plan's recommended one percent public art allocation on City capital projects funded with development fees and to engage in discussions with the development community before returning to Council.
6. Authorize the City Manager or her designee to initiate discussion with Tesla Motor's regarding the potential use of a portion of the buffer lands associated with the Water Pollution Control Plant and other privately held sites in San José for a future manufacturing, research and development site.

Motion by Committee Member Livengood and second by Committee Member Harrison to accept Items 6.C. 1-6.

D. Informational Item – TPAC Item Previously Recommended for Approval

**The following items were approved by the San José City Council on June 17, 2008:**

1. Report on bids and award of construction contract for “Handrail Replacement and Concrete Repair for Grit Removal Tanks and Dissolved Air Floatation Tanks” to the lowest responsive bidder, Ashron Construction and

Restoration, Inc., in the amount of \$477,869 and approval of a 15% contingency in the amount of \$72,000. **(previously distributed).**

2. Approval of a Third Amendment to the Agreement with enfoTech & Consulting, Inc. to extend the term of agreement by twenty-five months from December 31, 2007 to January 31, 2010 for the development and implementation of the Environmental Enforcement Data Management System at no additional cost to the City. **(previously distributed).**
3. Approval of consultant master agreements with the following firms for various electrical capital improvement projects at the San José/Santa Clara Water Pollution Control Plant for a term commencing upon approval of the agreement and continuing through June 30, 2013, for the amounts stated below, and provisions in the agreements to allow the City to increase the amounts payable in such amounts as may be approved by Council:
  - A. Winzler & Kelly in an amount not to exceed \$1.5 million.
  - B. Camp Dresser & McKee in an amount not to exceed \$1.5 million.
  - C. Black & Veatch in an amount not to exceed \$1.5 million.**(previously distributed).**
4. Adopt a resolution authorizing the City Manager to execute a Memorandum of Agreement among the cities of San José, Mountain View, Palo Alto and Redwood City, Delta Diablo Sanitation District, North Coast Water District, Santa Clara Valley Water District and the Bay Area Clean Water Agencies to implement a regional approach to obtaining and allocating federal funding for water recycling projects, at a cost for FY 2008-09 not to exceed \$30,000, with future year funding to be subject to appropriation by Council.  
**(previously distributed).**
5. Authorize the City Manager to negotiate and execute an agreement with the Santa Clara Valley Water District (District) for cost sharing associated with water conservation programs in FY 2008-2009, under which the City will receive an amount not to exceed \$280,000 and the District will receive an amount not to exceed \$406,977 for a net cost to the City of \$126,977.  
**(previously distributed).**
6. Adopt a resolution setting wholesale recycled water rate discounts over a three year period for landscape irrigation of \$145 per acre-foot (2008-09), \$125 per acre-foot (2009-10), and to \$105 per acre-foot (2010-11) and setting a discount over a one year period of \$345 per acre-foot (2008-09) for recycled water used for industrial and agricultural use.  
**(previously distributed).**

Motion by Committee member Harrison and Second by Committee member Reed to accept Informational Items 6.D.1-6.

7. **MISCELLANEOUS**

- A. The next TPAC meeting will be September 11, 2008, at 4:30 p.m. City Hall, Environmental Services, 10<sup>th</sup> Floor, Room 1047..

8. **PUBLIC COMMENT**

San José resident David Wall submitted a memo dated August 11, 2008 regarding Items 4 and 5 (A-D) on the August 14, 2008 TPAC agenda.

10. **ADJOURNMENT**

- A. The Treatment Plant Advisory Committee adjourned at 4:37 p.m.

Patricia Mahan, Chair  
Treatment Plant Advisory Committee