

**MINUTES OF THE
SAN JOSÉ/SANTA CLARA
TREATMENT PLANT ADVISORY COMMITTEE**

San José City Hall, T-1734
Thursday, November 14, 2019 at 4:03 p.m.

1. ROLL CALL

Minutes of the Treatment Plant Advisory Committee convened this date at 4:03p.m. Roll call was taken with the following members in attendance:

Committee Members: Debi Davis, Dev Davis, John Gatto, Steven Leonardis, Sam Liccardo, David Sykes, Kathy Watanabe

2. APPROVAL OF MINUTES

A. October 10, 2019

On a motion made by Committee Member Gatto and a second by Committee Member Debi Davis, TPAC recommended approval of the minutes.

**Ayes – 7 (Debi Davis, Dev Davis, Gatto, Leonardis, Liccardo, Sykes, Watanabe)
Absent– 2 (Diep, Montano)**

3. UNFINISHED BUSINESS/REQUEST FOR DEFERRALS

4. DIRECTOR'S REPORT

A. Director's Report (verbal)

Director Kerrie Romanow shared that the Tentative Order for the (RWF) discharge permit was out for public comment effective November 1st and there is no chronic toxicity limits in the permit. Director Romanow stated that this was due to the great work of the Wastewater Compliance team and Laboratory. Additionally, testing will no longer be done using the Ceriodaphnia and instead will be done using fathead minnows, which is better for chronic and acute testing. Chair Liccardo asked for clarification of why this was good news. Director Romanow stated that this was good news because it gives a better indicator of whether or not there is a problem for all water sampling.. Committee Member Gatto asked how long the permit was good for and

Assistant Director Napp Fukuda answered 5 years. Director Romanow and Assistant Director Napp Fukuda were available for questions regarding the Monthly Status Report.

5. **AGREEMENTS/ACTION ITEMS**

A. Master Service Agreements with Environmental Science Associates and Ascent Environmental, Inc. for Environmental Consulting Services for Various City Projects

Staff Recommendation:

Approval of master agreements with the following firms for environmental review and permitting services for the San José-Santa Clara Regional Wastewater Facility and Integrated Waste Management projects and programs:

- a. Environmental Science Associates from the date of execution through June 30, 2024 in an amount not to exceed \$1,000,000
- b. Ascent Environmental, Inc. from the date of execution through June 30, 2024 in an amount not to exceed \$500,000

Assistant Director Fukuda was available for questions.

Chair Liccardo asked why there were only two bidders.

Assistant Director Fukuda answered that the bid was posted on Bidsync for the standard period, but it just didn't attract as many bidders perhaps due to high demand.

On a motion made by Committee Member Debi Davis and a second by Committee Member Gatto, TPAC recommended approval of item 5A.

Ayes – 7 (Debi Davis, Dev Davis, Gatto, Leonardis, Liccardo, Sykes, Watanabe)

Absent– 2 (Diep, Montano)

B. Second Amendment to the Master Consultant Agreements with Kennedy/Jenks Consultant Inc. and MNS Engineers, Inc. for Construction Management and Inspection Services for the San José-Santa Clara Regional Wastewater Facility Capital Improvement Program

Staff Recommendation:

Approve the Second Amendment to the Master Consultant Agreement (MCA) with Kennedy/Jenks Consultants Inc. and MNS Engineers, Inc., for construction management and inspection services for various capital improvement projects at the San José-Santa Clara Regional Wastewater Facility, to clarify authorized travel expenses and provisions governing onsite and offsite employees, and align the consulting contracts with the Capital Improvement Program (CIP) standards, with no extension to the term or increase to the maximum total compensation.

Assistant Director Fukuda gave a verbal summary of this memo and why it was needed and was available for questions.

On a motion made by Committee Member Debi Davis and a second by Committee Member Leonardis, TPAC recommended approval of item 5B.

Ayes – 7 (Debi Davis, Dev Davis, Gatto, Leonardis, Liccardo, Sykes, Watanabe)

Absent– 2 (Diep, Montano)

C. Report on Bids and Award of Construction Contract for 9002- 96-Inch and 87-Inch Settled Sewage Pipe Rehabilitation Project at the San José- Santa Clara Regional Wastewater Facility

Staff Recommendation:

Report on bids and award of construction contract to the low bidder, Michels Corporation DBA Michels Pipeline Construction (“Michels”), in the amount of \$4,796,571, for the 9002 – 96-inch and 87-inch Settled Sewage Pipe Rehabilitation Project and approve a fifteen percent construction contingency in the amount of \$719,486.

Simon Alder, Project Manager with Stantec, presented.

Vice Chair Debi Davis asked how long the curing for the lining takes.

Michael O’Connell, Deputy Director of Public Works, was present to answer the question and said approximately 48 hours.

Vice Chair Debi Davis asked what created the corrosion on the top of the pipe.

Mr. Alder answered that hydrogen sulfide is what degrades and corrodes the pipes.

Vice Chair Debi Davis asked what the longevity of the new lining of the pipes would be.

Deputy Director O'Connell answered that it would be approximately forty years.

Member Gatto stated that he didn't have any questions or issues but wanted to make note of the ongoing maintenance that is needed on pipes of this sort to hopefully make these pipes last longer than forty years.

Chair Liccardo asked if this degradation was natural or due to lack of maintenance.

Deputy Director Mariana Chavez answered that it was natural wear and tear.

Chair Liccardo asked why we were only comparing this project to a federal project and if there wasn't a more comparable project.

Deputy Director Mariana Chavez answered that the pipe is very large and the only comparable project would be the federal project.

Deputy Director O'Connell also answered that all the major pipelines in the Southwest United States were lined with the Cured in Place Liner probably twenty years ago. Most of the vulnerable pipelines have already been protected by these large agencies there's not as many recent examples as there would've been twenty years ago.

On a motion made by Committee Member Debi Davis and a second by Committee Member Gatto, TPAC recommended approval of item 5C.

Ayes – 7 (Debi Davis, Dev Davis, Gatto, Leonardis, Liccardo, Sykes, Watanabe)

Absent– 2 (Diep, Montano)

6. **OTHER BUSINESS/CORRESPONDENCE**

Chair Liccardo stated that since all these items were somewhat related that public comments would be heard first.

Amy Granate, Executive Director of the California Off Vehicle Association and Board Member of the California Trail Users Coalition, spoke in favor of creation of an off-road vehicle open space park as well as the creation of a trail.

Dean Stanford, member of the public, spoke about the 2019 Golden Shovel Competition Results as well as spoke in favor of the creation of an off-road vehicle open space park as well as the creation of a trail.

Lakeisha Bryant, representative for U.S. Representative Ro Khanna, came to give background regarding the office's work with Mr. Stanford and ask for fair consideration regarding Mr. Stanford's proposal.

A. 2019 Golden Shovel Competition Results

Committee Member Gatto asked how the Cal Team was going to ground lease for \$277 million a year.

Director Romanow answered that City of San José Office of Economic Development and Real Estate will begin moving forward with Request for Proposals in early 2020 and the market will dictate what the land is worth.

Committee Member Gatto asked if the City knew how much the land was worth.

Director Romanow answered that a number of economic assessments have been done regarding the parcel however, the numbers have varied widely so need to see what the market dictates.

Committee Member Gatto stated if we can get \$277 million a year, we should lease it.

Director Romanow answered affirmatively.

B. Second Amendments to the Agreements for Janitorial Services with ABM Industries, Inc.

C. Highway 237 Bikeway Trail & Bay Trail Study

Committee Member Watanabe asked what needed to be done to keep this project moving.

Assistant Director Fukuda answered that Yves Zsutty from Parks and Recreations was here with a presentation regarding the feasibility study if the committee would like him to present it.

The committee answered positively, and Yves presented and was available for questions.

Committee Member Watanabe asked if this feasibility study included recreational uses.

Yves stated that this study was based on the creation of trails however, e-bikes can be used on the trails. The recreational space in the Plant Master Plan would be treated as a separate plan from this one once it was available.

Committee Member Watanabe asked if we could include a BMX park in the development of the land.

Yves said that there is a lot of recreational demand in North San Jose and need that would need to be considered during the public process.

Chair Liccardo asked if there could be a presentation of where the Army Corps status is regarding this project.

Director Romanow answered that of course but that also, the info memo listed as item 6D does give an overview of the Levee project and its status.

Committee Member Gatto asked what the Water District was going to do with the Pond.

Assistant Director Fukuda answered that the final intent is to restore the whole pond back to its natural habitat.

Committee Member Gatto asked if they would use it as a tradeoff.

Director Romanow answered that she wasn't sure what their intention was or if this was a possibility.

- D. Update on the Status of the Legacy Biosolids Lagoons Site Cleanup Requirements Order and the Shoreline Levee Project

On a motion made by Committee Member Gatto and a second by Committee Member Leonardis, TPAC recommended approval of items 6A, 6B, 6C, and 6D.

Ayes – 7 (Debi Davis, Dev Davis, Gatto, Leonardis, Liccardo, Sykes, Watanabe)

Absent– 2 (Diep, Montano)

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

- A. San José-Santa Clara Regional Wastewater Facility Capital Improvement Program Semiannual Status Report

Staff Recommendation:

Accept the semiannual status report on the San José-Santa Clara Regional Wastewater Facility Capital Improvement Program for the period of January 2019 through June 2019.

B. Report on Bids and Award of Construction Contract for 7731- Nitrification Clarifier Rehabilitation – Phase 1 Project at the San José- Santa Clara Regional Wastewater Facility

Staff Recommendation:

- (a) Report on bids and award the construction contract for 7731-Nitrification Clarifier Rehabilitation - Phase 1 Project to the low bidder, C. Overaa & Co., in the amount of \$26,184,000 and approve a 20 percent contingency in the amount of \$5,237,000.
- (b) Adopt a resolution authorizing the Director of Public Works to negotiate and execute one or more change orders in excess of \$100,000 for the duration of the project, not to exceed the total contingency amount approved for the project.

This item was approved by the City Council on October 22, 2019.

C. Sale of a Small Fragment of Land Along Highway 237

Staff Recommendation:

Approving the real property transfer of the approximately 1,744 square feet of land to the Santa Clara Valley Transportation Authority (VTA) and authorizing the City Manager to negotiate and execute a Purchase and Sale Agreement and all other documents necessary, for the sale of the property in the amount of \$5,000.

This item was approved by the City Council on October 22, 2019.

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 \$1.17 million and of services between \$100,000 and \$290,000.

9. **MISCELLANEOUS**

- A. The next TPAC Meeting is on **December 12, 2019, at 4:00 p.m.**, City Hall, Room 1734.

10. **OPEN FORUM**

Dean Stanford, citizen and park advocate, spoke in favor of the creation of an open space trail.

Amy Granate, Executive Director of the California Off Vehicle Association and Board Member of the California Trail Users Coalition, spoke in favor of creation of an off-road vehicle open space park as well as the creation of a trail.

11. **ADJOURNMENT**

- A. The Treatment Plant Advisory Committee adjourned at 4:55 p.m.



Sam Liccardo, Chair
TREATMENT PLANT ADVISORY COMMITTEE