

**MINUTES OF THE
SAN JOSÉ/SANTA CLARA
TREATMENT PLANT ADVISORY COMMITTEE**
San José City Hall, Virtual
Thursday, February 11, 2021 at 4:00 p.m.

1. **ROLL CALL**

Minutes of the Treatment Plant Advisory Committee convened this date at 4:01 p.m. Chair Liccardo called for Roll Call. Roll call was taken with the following members in attendance:

Committee Members: Dev Davis, John Gatto, Karen Hardy, Sam Liccardo, Carmen Montano, Paul Resnikoff, Dave Sykes, Kathy Watanabe

2. **APPROVAL OF MINUTES**

A. January 14, 2020

Action: On a motion made by Committee Member Gatto and a second by Committee Member Watanabe, TPAC recommended approval of items 2.A.

Ayes - 8 (Davis, Gatto, Hardy, Liccardo, Montano, Resnikoff, Sykes, Watanabe)
Absent – 1 (Cohen)

3. **UNFINISHED BUSINESS/REQUEST FOR DEFERRALS**

4. **DIRECTOR'S REPORT**

A. Director's Report (verbal)
Cogeneration Facility Ribbon Cutting Ceremony
CIP Monthly Reports
November

Chair Liccardo introduced ESD Director, Kerrie Romanow who congratulated the artist, staff, consultants and TPAC on the successful completion of the new Cogeneration Facility and led a virtual ribbon cutting ceremony with TPAC members participating via Zoom. A short video on the Cogeneration Facility followed. Upon completion of the ceremony, Chair Liccardo asked if there were additional comments regarding the December CIP Monthly Report or questions on the Director's Report. There were no questions.

5. **AGREEMENTS/ACTION ITEMS**

- A. Second Amendment to Master Consultant Agreement with Golder Associates for Environmental Support Services

Staff Recommendation:

Approve the Second Amendment to the Master Consultant Agreement with Golder Associates (Master Agreement) for environmental consulting services, increasing the amount of compensation by \$250,000, for a total amount not to exceed \$1,250,000 with no extension in the term of the agreement, set to expire on June 30, 2021.

ESD Assistant Director Napp Fukuda said there was no presentation on this item and gave a brief overview. Staff was available for questions.

Chair Liccardo recognized Vice Chair Watanabe who requested the opportunity to make prepared remarks on the Cogeneration Facility. Vice Chair Watanabe acknowledged the communities of San José, Santa Clara, Milpitas and the Tributary agencies for their support and efforts toward the successful completion of the Cogeneration Facility. She concluded her remarks by recognizing and thanking our partners who helped deliver the project: Jacobs Engineering and Hawkins, Delafield and Wood. Chair Liccardo thanked Vice Chair Watanabe for her remarks and asked if there were any questions or comments on item 5.A. from the committee or public. There were no questions or comments.

Action: On a motion made by Committee Member Montano and a second by Committee Member Watanabe, TPAC recommended approval of item 5. A.

Ayes – 8 (Davis, Gatto, Hardy, Liccardo, Montano, Resnikoff, Sykes, Watanabe)

Absent – 1 (Cohen)

6. **OTHER BUSINESS/CORRESPONDENCE**

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

- A. Second Amendment to Master Consultant Agreement with Kennedy/Jenks Consultants, Inc. for Engineering Services on the 7448 – Filter Rehabilitation Project at the San Jose-Santa Clara Regional Wastewater Facility

Staff Recommendation:

Approve a Second Amendment to the Master Consultant Agreement with Kennedy/Jenks Consultants, Inc. for design and engineering services for the Filter Rehabilitation Project at the San José-Santa Clara Regional Wastewater Facility, extending the term of agreement from June 30, 2023 to June 30,

2025 and increasing the maximum total compensation from \$4,950,000 to an amount not to exceed \$7,500,000, subject to the appropriation of funds.

This item was approved by City Council on January 26, 2021.

B. Construction Contingency Increase for the 7418 – Cogeneration Facility Project at the San Jose – Santa Clara Regional Wastewater Facility and Appropriation Amendments

Staff Recommendation:

- a) Approve a \$1,900,000 increase to the owner-controlled construction contingency for the 7418 – Cogeneration Facility Project (“Project”) for a revised contingency in an amount not to exceed \$10,188,000.
- b) Adopt a resolution authorizing the Director of Public Works to negotiate and execute amendments to the Design-Build Contract (Contract) to include additional work and services required to complete the Project or requested by the City, pay for costs resulting from the COVID-19 pandemic and increase the Guaranteed Maximum Price (GMP) from \$91,172,000 to \$93,072,000.
- c) Adopt the following 2020-2021 Appropriation Ordinance Amendments in the San Jose-Santa Clara Treatment Plant Capital Fund:
 - (1) Decrease the Nitrification Clarifier Rehabilitation appropriation to the Environmental Services Department by \$1,900,000; and
 - (2) Increase the Energy Generation Improvements appropriation to the Environmental Services Department by \$1,900,000.

This item was approved by City Council on January 26, 2021.

C. **Legacy Lagoons Remediation Budget Action**

Staff Recommendation:

Accept the following budget actions for the Legacy Lagoons Remediation Phase 2 project at the San José-Santa Clara Regional Wastewater Facility (RWF):

1. Adopt the following 2020-2021 Appropriation Ordinance amendments in the Sewer Service and Use Charge Fund:
 - a. Decrease the Transfer to the San Jose – Santa Clara Treatment Plant Operating Fund by \$23,241,040; and
 - b. Increase the unrestricted Ending Fund Balance in the amount of \$23,241,040.

2. Adopt the following 2020-2021 Funding Sources Resolution and Appropriation Ordinance amendments in the San Jose – Santa Clara Treatment Plant Operating Fund:
 - a. Decrease the Legacy Lagoons Remediation appropriation by \$36,800,000;
 - b. Decrease the estimate for revenue from Transfers and Reimbursements by \$23,241,040; and
 - c. Decrease the estimate for Revenue from Local Agencies by \$13,558,960.

This item is scheduled to be heard by City Council on February 9, 2021.

Chair Liccardo recognized Committee Member Gatto who asked if Item 7.C. was approved by Council on February 9. Chair Liccardo confirmed that Council gave unanimous approval. Committee Member Gatto acknowledged receipt of the Information Memo regarding the appropriateness of the Water Board's authority. There were no other questions or comments on this item. There was no public comment.

8. REPORTS

- A. Open Purchase Orders Greater Than \$100,000 (including Service Orders)
Monthly Procurement and Contract Activity Reports summarizes the purchase and contracting between \$100,000 and \$1.3 Million for Goods and \$100,000 and \$320,000 for Services

Chair Liccardo noted that there were no questions or comments for items in Section 8.

9. MISCELLANEOUS

- A. The next TPAC Meeting is on **March 11, 2021 at 4:00 p.m.**, Virtual Meeting.

10. OPEN FORUM

Chair Liccardo confirmed there were no members of the public who wished to speak.

11. ADJOURNMENT

The Treatment Plant Advisory Committee was adjourned at 4:18 p.m.


Sam Liccardo, Chair
TREATMENT PLANT ADVISORY COMMITTEE