

# SAN JOSE/SANTA CLARA TREATMENT PLANT ADVISORY COMMITTEE

KATHY WATANABE, CHAIR  
DAVID COHEN, VICE CHAIR  
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KIP HARKNESS, MEMBER

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CARMEN MONTANO, MEMBER  
ROWENA TURNER, MEMBER

## REGULAR MEETING AGENDA/TPAC

**4:00 p.m.**

**December 8, 2022**

**Virtual**

### **\* COVID-19 NOTICE \***

*Consistent with AB 361 and City of San Jose Resolution Numbers 80628, 80659, 80685, 80724, and 80758 this meeting will not be physically open to the public and the Treatment Plant Advisory Committee Members will be teleconferencing from remote locations.*

### **How to join the virtual TPAC Meeting:**

By phone **(888) 475-4499 or (877) 853-5257** Meeting ID: **915 0854 1897**

By online **<https://sanjoseca.zoom.us/j/91508541897>**

### **How to submit written Public Comment before the TPAC Meeting:**

By email to [ESDcouncilmemos@sanjoseca.gov](mailto:ESDcouncilmemos@sanjoseca.gov) by 12:00 p.m. the day of the meeting. Those emails will be considered as if they were part of the meeting. Please identify the Agenda Item Number in the subject line of your email.

### **How to submit written Public Comment during the TPAC Meeting:**

Email during the meeting to [ESDcouncilmemos@sanjoseca.gov](mailto:ESDcouncilmemos@sanjoseca.gov), identifying the Agenda Item Number in the email subject line. Comments received will be included as a part of the meeting record but will not be read aloud during the meeting.

### **How to provide Spoken Public Comment during the TPAC Meeting:**

By phone **(888) 475-4499 or (877) 853 5257** Meeting ID: **915 0854 1897** Click **\*9** to raise a hand to speak. Click **\*6** to unmute when called.

By online **<https://sanjoseca.zoom.us/j/91508541897>**

- a. Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer. Mute all other audio before speaking. Using multiple devices can cause an audio feedback.
- b. Enter an email address and name. The name will be visible online and will be used to notify you that it is your turn to speak.
- c. When the Chair calls for the item on which you wish to speak, click on "Raise Hand." Speakers will be notified shortly before they are called to speak.
- d. When called, please limit your remarks to the time limit allotted.

1. **ROLL CALL**

2. **APPROVAL OF MINUTES**

- A. November 10, 2022  
[Draft Minutes](#)

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

4. **DIRECTOR'S REPORT**

- A. Director's Report (verbal)

5. **AGREEMENTS/ACTION ITEMS**

- A. **Master Service Agreement with HydroScience Engineers, Incorporated for Engineering Consulting Services for the San José-Santa Clara Regional Wastewater Facility.**

**Staff Recommendation to Committee for City Council:**

Adopt a resolution delegating authority to the City Manager or designee to execute a Master Service Agreement with HydroScience Engineers, Incorporated, for various Operations and Maintenance projects requiring engineering support and services on an as needed basis at the San José-Santa Clara Regional Wastewater Facility. The terms of the agreement shall be for a four-year term with a total not to exceed amount of \$2,500,000, subject to annual appropriation of funds.

**5. A. Memorandum**

**This item is scheduled to be heard at City Council on December 13, 2022.**

- B. **Second Amendment to the Master Consultant Agreement with Stantec Consulting Services Inc. for Program Management Services for the San José-Santa Clara Regional Wastewater Facility Capital Improvement Program.**

**Staff Recommendation to Committee for City Council:**

(a) Approve the second amendment to the Master Consultant Agreement with Stantec Consulting Services Inc. for program management services for the San José-Santa Clara Regional Wastewater Facility Capital Improvement Program, increasing the not-to-exceed agreement amount from \$78,000,000 to a revised not-to-exceed agreement amount of \$92,000,000; and extending the term of the agreement from June 30, 2023 to June 30, 2026.

(b) Adopt a resolution authorizing the City Manager to exercise the City's option to extend the agreement for up to two additional one-year terms, with compensation for each additional one-year term not to exceed \$4,000,000, depending on program needs and subject to the appropriation of funds.

## **5. B. Memorandum**

### **5. B. Presentation**

### **5. B. Public Comment**

**This item is scheduled to be heard at City Council on December 13, 2022.**

#### **C. Award of Dewatered Biosolids Transportation and Beneficial Use Service Agreements for the San José-Santa Clara Regional Wastewater Facility.**

##### **Staff Recommendation to Committee for City Council:**

- (a) Adopt a resolution approving the Addendum to the Environmental Impact Report for the San José-Santa Clara Water Pollution Control Plant Master Plan (SCH #2011052074), Biosolids Disposition Project, File No. ER20-129, in accordance with the California Environmental Quality Act (CEQA), as amended.
- (b) Approve and execute the following dewatered biosolids transportation and beneficial use service agreements to manage the dewatered biosolids produced annually by the San José-Santa Clara Regional Wastewater Facility:
  - (1) Denali Water Solutions, LLC to manage approximately 35% of the dewatered biosolids produced annually by the San José-Santa Clara Regional Wastewater Facility through June 30, 2029, with options to extend through June 30, 2033, and a maximum compensation of \$18,400,000, subject to the appropriation of funds.
  - (2) Synagro West, LLC to manage approximately 57% of the dewatered biosolids produced annually by the San José-Santa Clara Regional Wastewater Facility through June 30, 2029, with options to extend through June 30, 2033, and a maximum compensation of \$29,600,000, subject to the appropriation of funds.
  - (3) Lystek International Limited to manage approximately 8% of the dewatered biosolids produced annually by the San José-Santa Clara Regional Wastewater Facility through June 30, 2029, with options to extend through June 30, 2033, and a maximum compensation of \$7,300,000, subject to the appropriation of funds.
- (c) Adopt a resolution delegating authority to the City Manager or their designee to negotiate and execute amendments to the biosolid transportation and beneficial use service agreements with Denali Water Solutions, LLC, Synagro West, LLC, and Lystek International Limited to account for necessary changes to the percentage of the dewatered biosolids managed under each agreement and the corresponding compensation and/or execute extensions to the initial term of the agreement so long as such amendments do not exceed the combined total of \$55,300,000.

## **5. C. Memorandum**

### **5. C. Presentation**

**This item is scheduled to be heard at City Council on December 13, 2022.**

#### **D. Agreement with Santa Clara Valley Habitat Agency Establishing a 201-Acre Conservation Easement as Land-in-Lieu of Fees for the Burrowing Owl Habitat at the San José-Santa Clara Regional Wastewater Facility**

**Staff Recommendation to Committee for City Council:**

Approve a Conservation Easement-In-Lieu of Fees agreement with Santa Clara Valley Habitat Agency that establishes an approximate 201-acre conservation easement over the Western Burrowing Owl Habitat at the San José-Santa Clara Regional Wastewater Facility as land-in-lieu of paying development fees for certain projects in the Capital Improvement Program and the corresponding Conservation Easement Agreement.

**5. D. Memorandum**

**This item is scheduled to be heard at City Council on January 10, 2023.**

**6. OTHER BUSINESS/CORRESPONDENCE**

**A. Annual Plant Capacity Report**

**6. A. Report**

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

**A. Amend Purchase Order for Ferric Chloride**

**Staff Recommendation to Committee for City Council:**

Adopt a resolution authorizing the City Manager to amend purchase order OP62260 with Kemira Water Solutions, Inc. (Atlanta, GA) for Ferric Chloride to increase compensation by \$1,200,000, for a revised maximum compensation not-to-exceed \$2,500,000 for the period ending on June 30, 2023.

**This item was approved by City Council on November 15, 2022.**

**B. Actions Related to the Purchase order for Cationic Emulsion Polymer**

**Staff Recommendation to Committee for City Council:**

1. Amend purchase order OP 62535 with SNF Polydyne, Inc. (Riceboro, GA) for Cationic Emulsion Polymer to increase compensation by \$546,328, for a revised maximum compensation not-to-exceed \$932,448 for the period ending on July 12, 2023.
2. Exercise up to three additional one-year options to extend the term of the purchase order, with the last option ending on or about July 12, 2026, subject to the appropriation of funds.

**This item was approved by City Council on November 15, 2022.**

**C. Construction Contingency Increase for the 7731 – Nitrification Clarifier Rehabilitation – Phase 1 Project at the San José-Santa Clara Regional Wastewater Facility**

**Staff Recommendation to Committee for City Council:**

Approve a \$5,200,000 increase to the original construction contingency amount of \$5,237,000 for a revised total contingency amount of \$10,437,000, increasing the not-to-exceed amount of the contract from \$31,421,000 to a total revised contract amount not-to-exceed of \$36,621,000, and a 218 workday time extension to the project substantial completion date for the 7731 - Nitrification Clarifier Rehabilitation - Phase 1 Project.

**This item was approved by City Council on November 29, 2022.**

**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.

**[8. A. Open PO Report November 2022](#)**

**9. MISCELLANEOUS**

A. The next TPAC Meeting is on **January 12, 2023 at 4:00 p.m.**, Virtual.

**10. OPEN FORUM**

A. **[Public Comment](#)**

**11. ADJOURNMENT**

*The [Code of Conduct](#) is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.*

NOTE: If you have any changes or questions, please contact April Kellett, Environmental Services (408) 975-2547, [april.kellett@sanjoseca.gov](mailto:april.kellett@sanjoseca.gov).

To request an accommodation or alternative format for City-sponsored meetings, events, or printed materials, please contact April Kellett (408) 975-2547 or (408) 294-9337 (TTY) as soon as possible, but at least three business days before the meeting/event.

**Availability of Public Records.** All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed

to a majority of the legislative body will be available for public inspection at San Jose City Hall, 200 East Santa Clara Street, 10<sup>th</sup> Floor, Environmental Services at the same time that the public records are distributed or made available to the legislative body.