

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

San José City Hall, Virtual
Thursday, February 9, 2023 at 4:00 p.m.

1. ROLL CALL

Minutes of the Treatment Plant Advisory Committee convened this date at 4:04 p.m. Chair Watanabe was not present. Vice Chair Cohen called the meeting to order and asked for roll call. Roll call was taken with the following members in attendance:

Committee Members: Domingo Candelas, David Cohen, Karen Hardy, Kip Harkness, Patrick Kwok, Carmen Montano, Rowena Turner

Vice Chair Cohen noted that in the absence of Kathy Watanabe he would chair the meeting.

2. APPROVAL OF MINUTES

A. January 12, 2023

Action: On a motion made by Committee Member Hardy and a second by Committee Member Kwok, TPAC recommended approval of the Minutes:

Ayes - 6 (Cohen, Hardy, Harkness, Kwok, Montano, Turner)

Nays - 0

Abstain - 1 (Candelas)

Absent - 2 (Davis, Watanabe)

3. UNFINISHED BUSINESS/REQUEST FOR DEFERRALS

4. DIRECTOR'S REPORT

A. Director's Report (verbal)
CIP Quarterly Status Report: **October – December 2022**

Environmental Services Department Assistant Director Napp Fukuda reported that the CIP Quarterly Report was included in the agenda packet. A video of the new Headworks 3 emergency overflow basin was presented. Assistant Director Fukuda and interim Regional Wastewater Facility Operations Deputy Director Tim Lewis responded to a question from Committee member Kwok. There were no other questions or comments from the committee or public.

5. AGREEMENTS/ACTION ITEMS

A. Report on Bids and Award of Contract for 10228 – South Bay Water Recycling Metering and Pressure Monitoring Improvements Project Phase 1.

Staff Recommendation to Committee for City Council:

Report on bids and award of construction contract for the 10228 – South Bay Water Recycling Metering and Pressure Monitoring Improvements Phase 1 project to the lowest responsive, responsible bidder, JMB Construction, Inc. in the amount of \$2,681,000, and approve a 10 percent contingency in the amount of \$268,100.

This item is scheduled to be heard at City Council on February 28, 2023.

Environmental Services Department Assistant Director Fukuda advised there was no presentation on this item. There was public comment from Dean Stanford regarding the Director's report video presentation. There was public comment from Joe Weiss on the subject of cyber security. During the vote Committee member Montano commented that she was interested in looking into the subject brought up in public comment.

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

Ayes - 6 (Candelas, Cohen, Hardy, Harkness, Kwok, Montano)

Nays - 1 (Turner)

Absent - 2 (Davis, Watanabe)

6. OTHER BUSINESS/CORRESPONDENCE

7. STATUS OF ITEMS PREVIOUSLY RECOMMENDED FOR APPROVAL BY TPAC

A. Report on Request for Proposal for Citywide Security Guard Services.

Staff Recommendation to Committee for City Council:

Accept the report on the Request for Proposal and adopt a resolution authorizing the City Manager to:

(a) Negotiate and execute agreements with Good Guard Security, Inc. (Chatsworth, CA) for security guard services for the Airport, Transportation, Public Works, Parks, Recreation and Neighborhood Services, Library, and Environmental Services Departments with an initial 14-month term beginning on or about February 1, 2023 and ending March 31, 2024, with a total aggregate compensation for all agreements not to exceed \$9,048,442 for the initial term, subject to the appropriation of funds.

(b) Negotiate and execute amendments and change orders as required to add, delete, or modify services, such as for special events, or to address seasonal variations, budgetary constraints, or unanticipated changes in demand, subject to

the appropriation of funds.

(c) Exercise up to four one-year options to extend the terms of the agreements through March 31, 2028, subject to the appropriation of funds.

(d) Negotiate and execute additional agreements or purchase orders with Good Guard Security, Inc. leveraging the same Request for Proposal to provide security guard services for other City departments as requested, subject to substantially the same material terms and conditions and the appropriation of funds.

This item was deferred from January 31 and is scheduled to be heard at City Council on February 14, 2023.

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.

B. Report on Activities Undertaken by the Director of Environmental Services Pursuant to Title 27 of the San Jose Municipal Code for the Period of July 1, 2022 – December 31, 2022.

Chair Cohen noted that there were no comments or questions from the public or the committee on items 7- 8

9. MISCELLANEOUS

A. The next TPAC Meeting is on **March 9, 2023 at 4:00 p.m.**, in person at City Hall, Room 1734.

10. OPEN FORUM

Chair Cohen invited public comment and recognized Committee Member Kwok who requested a report on cybersecurity at the facility. Interim Deputy Director Lewis gave a brief background on cybersecurity at the facility. Chair Cohen stopped any further discussion noting that the item was not on the agenda. Committee member Harkness offered that discussion on cybersecurity issues should not occur in a public meeting and suggested that it may be appropriate to consult with attorneys on whether the subject is suitable for a closed session. Committee member Hardy reiterated concerns about public discussions of cybersecurity matters. Committee member Montano indicated an interest in the subject for future consideration. Public comment from caller with number ending in 396 (later identified as Joe Weiss) offered additional comment on the need for cybersecurity assessments. Dean Stanford spoke about renewed interest in a park on the lands surrounding the facility, invited anyone who was interested to a public State Parks

workshop being held on February 16 in Pleasanton which would include discussion of new parks in San José, SB155 and funding for new state parks. He urged saving the trail around Pond A18 and encouraged consideration of selling the berm land surrounding Pond A 18 to the state for parklands.

11. ADJOURNMENT

The Treatment Plant Advisory Committee was adjourned at 4:22 p.m.

A handwritten signature in dark ink, appearing to read "David Cohen". The signature is fluid and cursive, with a large initial "D" and "C".

David Cohen, Vice Chair
TREATMENT PLANT ADVISORY COMMITTEE