

**MINUTES OF SILICON VALLEY CLEAN WATER  
REGULAR MEETING – November 8, 2018  
8:00 a.m.**

**ITEM 1**

**CALL TO ORDER**

The meeting was called to order at 8:00 a.m.

**ITEM 2**

**ROLL CALL - Commissioners Duly Appointed by Each Agency**

Council Member John Seybert, Redwood City – Chair  
Council Member Warren Lieberman, PhD., Belmont– Vice Chair  
Mayor Robert Grassilli, San Carlos – Secretary  
Board Member George B. Otte, P.E., West Bay Sanitary District

**Staff, Consultants and Visitors Present**

Teresa A. Herrera, SVCW Manager  
Christine C. Fitzgerald, SVCW Legal Counsel  
Jennifer Flick, Human Resources Manager  
Matt Anderson, SVCW Assistant Manager/Chief Financial Officer  
Monte Hamamoto, SVCW Chief Operating Officer  
Kim Hackett, SVCW Authority Engineer  
Arvind Akela, SVCW Senior Engineer  
Eric Hansen, SVCW Senior Engineer  
Jessica Mangual, SVCW Administrative Clerk  
EJ Shalaby, Senior Consultant, DNS Strategic Partners  
Bill Tanner, Tanner Pacific, Inc.  
Mark Minkowski, Kennedy/Jenks  
Dan Schall, Barnard Bessac Joint Venture  
Jack Sucilsky, Barnard Bessac Joint Venture  
Jeff Higgins, Barnard Bessac Joint Venture  
Olivier Robert, Barnard Bessac Joint Venture  
Bruce Burnworth, MPF Consulting  
Ken Kaufmann, SVCW Retiree

**ITEM 3**

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited by those in attendance.

**ITEM 4**

**PUBLIC COMMENT**

The Chairman recognized Mr. Ken Kaufmann, an SVCW Retiree, who addressed the Commission regarding Agenda Item 9C. Mr. Kaufman explained the background to the

2002 creation of the Performance Incentive program and also noted the loss of income that he, along with other retirees' of SVCW are facing. Mr. Kaufman appealed to the Commission to work towards a solution to address his and the other retirees' concerns.

**ITEM 5A THROUGH 5F**  
**SAFETY MOMENT AND REPORTS**

The safety moment relayed the importance of protecting one's eyes from injury.

The Commissioners were invited to SVCW's upcoming Holiday Potluck Luncheon scheduled for Wednesday, December 12<sup>th</sup>.

SVCW was invited to submit an application to EPA for WIFIA funding; very good news for the agency. Further information was provided under Item 5C, Financial Reports.

The Financial Report presentation emphasized year-to-date expenditures versus budget (favorable and as expected), update on the funding mechanisms for the Capital Improvement Program (via SRF and WIFIA) and a planning calendar for upcoming activities (Long Range Financial Plan in January and Budget in April).

**ITEM 6**  
**MATTERS OF COMMISSION MEMBER'S INTEREST**

Commission Meeting dates for 2019 were included in the agenda packet.

Congratulations were given to Commissioners Lieberman and Otte for their respective re-elections.

**ITEM 7**  
**CONSIDERATION OF MOTION APPROVING CONSENT CALENDAR ITEMS 7A THROUGH 7E**

**Motion/Second: Mr. Grassilli / Mr. Lieberman**

The Motion carried by Unanimous Roll Call Vote

**ITEM 8A**  
**CONSIDERATION OF RESOLUTION ADOPTING FINDINGS THAT THE PUMP STATION IMPROVEMENTS PROJECT (CIP #9501) IS A "SUBSTANTIALLY COMPLEX" PROJECT PURSUANT TO PUBLIC CONTRACT CODE SECTION 7201(B)(4) AND APPROVE THE RETENTION OF 10% OF ALL PROGRESS PAYMENTS MADE DURING STAGE 2 OF EACH PROJECT**

A staff presentation was provided giving the background of the project and rationale for the action.

The Public hearing was open. There were no public speakers and a motion to close the public hearing was made.

**Motion/Second: Mr. Lieberman / Mr. Grassilli**

The Motion carried by Unanimous Roll Call Vote

- i. Move adoption of RESOLUTION FINDING THAT THE PUMP STATION IMPROVEMENTS PROJECT (CIP #9501) IS “SUBSTANTIALLY COMPLEX” AND APPROVING RETENTION OF 10% OF EACH PROGRESS PAYMENT FOR STAGE 2 OF THE PROJECT

**Motion/Second: Mr. Grassilli / Mr. Otte**

The Motion carried by Unanimous Roll Call Vote

**ITEM 8B**

CONSIDERATION OF RESOLUTION ADOPTING RECOMMENDED CHANGES TO THE CAPITAL IMPROVEMENT PROGRAM (CIP) COSTS, UPDATED FOR ANTICIPATED ESCALATION DUE TO MARKET CONDITIONS AND INFLATION AND CHANGES TO PROJECTS

Move adoption of RESOLUTION APPROVING AND ADOPTING THE 2018 UPDATE OF THE SILICON VALLEY CLEAN WATER CAPITAL IMPROVEMENT PROGRAM PLAN AND CORRESPONDING CEQA CONCLUSIONS

**Motion/Second: Mr. Otte / Mr. Grassilli**

The Motion carried by Unanimous Roll Call Vote

**ITEM 8C**

CONSIDERATION OF RESOLUTION APPROVING STAGE 2B AMENDMENT TO THE GRAVITY PIPE (GP) DESIGN-BUILD AGREEMENT WITH BARNARD BESSAC JOINT VENTURE (BBJV), APPROVE KENNEDY/JENKS TASK ORDER FOR OWNER’S ENGINEERING ADVISOR SERVICES AND TANNER PACIFIC TASK ORDER FOR CONSTRUCTION QUALITY ASSURANCE SERVICES ASSOCIATED WITH STAGE 2 OF THE GRAVITY PIPELINE PROJECT (CIP #6008).

It was noted that the dollar amount listed in the agenda write up represented the entire Stage 2 amount and the Stage 2B Amendment amount is actually \$183,222,407; Stage 2A amount previously authorized was \$23,477,593.

Proposed Actions:

- i. Move adoption of RESOLUTION APPROVING STAGE 2B AMENDMENT TO THE DESIGN-BUILD AGREEMENT FOR GRAVITY PIPELINE PROJECT (CIP #6008); AUTHORIZING EXECUTION OF STAGE 2B AMENDMENT AND AUTHORIZING MANAGER TO APPROVE CONTRACT CHANGE ORDERS AND ALLOWANCES UP TO TEN PERCENT OF THE CONTRACT PRICE FOR SAID AMENDMENT – BARNARD-BESSAC JOINT VENTURE – \$183,222,407 ~~\$206.7 MILLION~~

- ii. Move approval of TASK ORDER SCOPE AND BUDGET FOR OWNER'S ADVISOR SERVICES FOR THE GRAVITY PIPELINE PROJECT STAGE 2 (CIP #6008) IN AN AMOUNT NOT TO EXCEED \$4,000,000 AND AUTHORIZE MANAGER TO APPROVE UP TO TEN PERCENT CONTINGENCY FOR ADDITIONAL WORK ON AN AS-NEEDED BASIS – KENNEDY/JENKS CONSULTANTS
- iii. Move approval of TASK ORDER SCOPE AND BUDGET FOR CONSTRUCTION QUALITY ASSURANCE SERVICES FOR THE GRAVITY PIPELINE PROJECT STAGE 2 (CIP #6008) IN AN AMOUNT NOT TO EXCEED \$7,500,000 AND AUTHORIZE MANAGER TO APPROVE UP TO TEN PERCENT CONTINGENCY FOR ADDITIONAL WORK ON AN AS-NEEDED BASIS – TANNER PACIFIC INC.

**Motion/Second: Mr. Otte / Mr. Lieberman**

The Motion carried by Unanimous Roll Call Vote.

**ITEM 9**  
CLOSED SESSION

Closed Session was called to order at 8:35 a.m.

**ITEM 10**  
RECONVENE FROM CLOSED SESSION

Open Session reconvened at 9:26 a.m.

Ms. Fitzgerald reported that as to Item 9A, no reportable action was taken. As to Item 9B the Commission unanimously voted to file an Appeal in the case of Silicon Valley Clean Water vs CalPERS. As to Item 9C, no reportable action was taken and direction was given to counsel and staff. As to Items 9D through 9G, no reportable action was taken and direction was given to staff and counsel.

**ITEM 11**  
ADJOURN

There being no further business, the meeting adjourned at 9:27 a.m. with a reminder that the next Commission Meeting will take place on Thursday, December 6th

Minutes prepared by Teresa A. Herrera

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Robert Grassilli, Secretary