

**COMMISSION OF SILICON VALLEY CLEAN WATER
JOINT POWERS AUTHORITY
SPECIAL MEETING – Thursday, December 6, 2018
8:00 a.m.**

Place: Pelican Conference Room
Silicon Valley Clean Water
1400 Radio Road, 2nd Floor
Redwood City, California

COMMISSIONERS

COUNCIL MEMBER JOHN SEYBERT, REDWOOD CITY – CHAIR
COUNCIL MEMBER WARREN LIEBERMAN, PhD., BELMONT – VICE CHAIR
BOARD MEMBER GEORGE S. OTTE, P.E., WEST BAY SANITARY DISTRICT – MEMBER
MAYOR ROBERT GRASSILLI, SAN CARLOS – SECRETARY

MANAGER: TERESA A. HERRERA

ATTORNEY FOR THE AUTHORITY: CHRISTINE C. FITZGERALD

CONTROLLER: KIMBRA MCCARTHY

TREASURER: MATTHEW ANDERSON

AMERICANS WITH DISABILITIES ACT

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact SVCW (650) 591-7121. Notification in advance of the meeting will enable the Authority to make reasonable arrangements to ensure accessibility to this meeting.

AGENDA

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. PUBLIC COMMENT

Any member of the public may address and ask questions of the Chair under this item relating to any matter within the Commission's jurisdiction that does not appear as a separate item on the Agenda. An opportunity will be provided for members of the public to address the Chair and ask questions about any item that is listed on the agenda at the time the

Commission considers the item and before action is taken. If you address the Commission on a non-agenda item, please be aware that the Ralph M. Brown Act (Gov. C. § 54950 et seq.) prohibits the Commission from acting on or discussing such matters at this meeting. Any such item may be referred to staff for a decision with regard to placing it on a future agenda for discussion, action or a report.

5. SAFETY MOMENT and REPORTS

- A. Safety Moment
- B. Manager's Report (verbal)
- C. Financial Reports
 - 1. Investment Report
- D. Engineering Projects Status Update
- E. Commission Requested Staff-Level Action Items
- F. RESCU Program Design-Build Project Status Update

October 2018

6. MATTERS OF COMMISSION MEMBER'S INTEREST

- A. Elect New Commission Chair and New Commission Secretary

7. CONSIDERATION OF MOTION APPROVING CONSENT CALENDAR

8. BUSINESS ITEMS

- A. PUBLIC HEARING TO CONSIDER RESOLUTION OF NECESSITY AUTHORIZING EMINENT DOMAIN PROCEEDINGS FOR THE ACQUISITION OF A SUBSURFACE EASEMENT FROM PROPERTY LOCATED AT 930 GOVERNOR'S BAY DRIVE, REDWOOD CITY (APN 095-380-210) FOR THE GRAVITY PIPELINE PROJECT

Proposed Actions:

- Open Public Hearing and Receive Testimony
 - Close Public Hearing
 - i. Move adoption of RESOLUTION OF THE COMMISSION OF SILICON VALLEY CLEAN WATER DECLARING THE NECESSITY FOR AND AUTHORIZING THE ACQUISITION OF CERTAIN INTERESTS IN REAL PROPERTY FOR THE REGIONAL ENVIRONMENTAL SEWER CONVEYANCE UPGRADE PROGRAM GRAVITY PIPELINE PROJECT (APN 095-380-210 YOUNG/LEUNG) (2/3rds weighted vote count required)
- B. PUBLIC HEARING TO CONSIDER RESOLUTION OF NECESSITY AUTHORIZING EMINENT DOMAIN PROCEEDINGS FOR THE ACQUISITION OF A SUBSURFACE EASEMENT FROM

PROPERTY LOCATED AT 928 GOVERNOR'S BAY DRIVE, REDWOOD CITY (APN 095-380-220) FOR THE GRAVITY PIPELINE PROJECT

Proposed Actions:

- Open Public Hearing and Receive Testimony
 - Close Public Hearing
 - i. Move adoption of RESOLUTION OF THE COMMISSION OF SILICON VALLEY CLEAN WATER DECLARING THE NECESSITY FOR AND AUTHORIZING THE ACQUISITION OF CERTAIN INTERESTS IN REAL PROPERTY FOR THE REGIONAL ENVIRONMENTAL SEWER CONVEYANCE UPGRADE PROGRAM GRAVITY PIPELINE PROJECT (APN 095-380-220 LAU/CHANG) (2/3rds weighted vote count required)
- C. PUBLIC HEARING TO CONSIDER RESOLUTION OF NECESSITY AUTHORIZING EMINENT DOMAIN PROCEEDINGS FOR THE ACQUISITION OF A SUBSURFACE EASEMENT FROM PROPERTY LOCATED WITHIN A COMMON AREA AND PRIVATE STREET ALONG GOVERNOR'S BAY DRIVE, REDWOOD CITY FOR THE GRAVITY PIPELINE PROJECT

Proposed Actions:

- Open Public Hearing and Receive Testimony
 - Close Public Hearing
 - i. Move adoption of RESOLUTION OF THE COMMISSION OF SILICON VALLEY CLEAN WATER DECLARING THE NECESSITY FOR AND AUTHORIZING THE ACQUISITION OF CERTAIN INTERESTS IN REAL PROPERTY FOR THE REGIONAL ENVIRONMENTAL SEWER CONVEYANCE UPGRADE PROGRAM GRAVITY PIPELINE PROJECT (LOT B, LOT F AND PORTION OF GOVERNOR'S BAY DRIVE HOA) (2/3rds weighted vote count required)
- D. CONSIDERATION OF RESOLUTION APPROVING STAGE 2D AMENDMENT TO THE FRONT OF PLANT (FOP) DESIGN-BUILD AGREEMENT WITH SHEA PARSONS JOINT VENTURE (SPJV), APPROVE TASK ORDER FOR OWNER'S ENGINEERING ADVISOR SERVICES FOR BROWN & CALDWELL AND FREYER & LAURETA, AND APPROVE A TASK ORDER FOR CONSTRUCTION QUALITY ASSURANCE SERVICES FOR TANNER PACIFIC ASSOCIATED WITH THE FRONT OF PLANT PROJECT (CIP #9502). APPROVE PROGRAM MANAGEMENT SERVICES FOR THE OVERALL RESCU PROGRAM (CIP #S 6008, 9501, AND 9502)

Proposed Actions:

- i. Move adoption of RESOLUTION APPROVING STAGE 2D AMENDMENT TO THE DESIGN-BUILD AGREEMENT FOR FRONT OF PLANT PROJECT (CIP #9502); AUTHORIZING EXECUTION OF STAGE 2D AMENDMENT AND AUTHORIZING MANAGER TO APPROVE CONTRACT CHANGE ORDERS AND ALLOWANCES UP TO TEN PERCENT OF THE CONTRACT PRICE FOR SAID AMENDMENT – SHEA PARSONS JOINT VENTURE - \$93,904,235 MILLION
- ii. Move approval of TASK ORDER SCOPE AND BUDGET FOR OWNER’S ADVISOR SERVICES FOR THE FRONT OF PLANT PROJECT STAGE 2D (CIP #9502) IN AN AMOUNT NOT TO EXCEED \$3,200,000 AND AUTHORIZE MANAGER TO APPROVE UP TO TEN PERCENT CONTINGENCY FOR ADDITIONAL WORK ON AN AS-NEEDED BASIS – BROWN AND CALDWELL CONSULTANTS
- iii. Move approval of TASK ORDER SCOPE AND BUDGET FOR OWNER’S ADVISOR SERVICES FOR THE FRONT OF PLANT PROJECT STAGE 2D (CIP #9502) IN AN AMOUNT NOT TO EXCEED \$600,000 AND AUTHORIZE MANAGER TO APPROVE UP TO TEN PERCENT CONTINGENCY FOR ADDITIONAL WORK ON AN AS-NEEDED BASIS – FREYER AND LAURETA CONSULTANTS
- iv. Move approval of TASK ORDER SCOPE AND BUDGET FOR OWNER’S ADVISOR SERVICES FOR THE FRONT OF PLANT PROJECT STAGE 2D (CIP #9502) IN AN AMOUNT NOT TO EXCEED \$400,000 AND AUTHORIZE MANAGER TO APPROVE UP TO TEN PERCENT CONTINGENCY FOR ADDITIONAL WORK ON AN AS-NEEDED BASIS – BEECHER ENGINEERING CONSULTANTS.
- v. Move approval of TASK ORDER SCOPE AND BUDGET FOR CONSTRUCTION QUALITY ASSURANCE SERVICES FOR THE FRONT OF PLANT PROJECT STAGE 2D (CIP #9502) IN AN AMOUNT NOT TO EXCEED \$7,700,000 AND AUTHORIZE MANAGER TO APPROVE UP TO TEN PERCENT CONTINGENCY FOR ADDITIONAL WORK ON AN AS-NEEDED BASIS – TANNER PACIFIC INC.
- vi. Move approval of TASK ORDER SCOPE AND BUDGET FOR PROGRAM MANAGEMENT SERVICES FOR RESCU PROGRAM (CIP #6008, 9501, 9502) IN AN AMOUNT NOT TO EXCEED \$5,700,000 AND AUTHORIZE MANAGER TO APPROVE UP TO TEN PERCENT CONTINGENCY FOR ADDITIONAL WORK ON AN AS-NEEDED BASIS – KENNEDY/JENKS CONSULTANTS

9. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9 (One Potential Case)

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property Description: San Carlos Airport Property, various locations

SVCW Negotiators: Lillian Jewell (Hamner, Jewell & Associates);

SVCW Manager, Teresa A. Herrera; Bruce Burnworth (*MPF Consulting, Inc.*)

Negotiating Parties: County of San Mateo

Under Negotiation: Price and terms

10. RECONVENE IN OPEN SESSION – Announce action taken in Closed Session, if any.

11. ADJOURN

CONSENT CALENDAR

NOTICE TO PUBLIC

All matters listed under CONSENT CALENDAR are considered to be routine. There may be discussion on items on the CONSENT CALENDAR. All items will be enacted by one motion with a roll call vote unless members of the Commission, staff, or public request specific items be removed from the CONSENT CALENDAR for separate action.

7. A. APPROVAL OF MINUTES – November 8, 2018 Meeting
- B. CONSIDERATION OF MOTION APPROVING CLAIMS AND CHECKS DATED NOVEMBER 1, 2018, NOVEMBER 2, 2018, AND NOVEMBER 16, 2018, AND NECESSARY PAYMENTS THROUGH NOVEMBER 16, 2018
- C. CONSIDERATION OF RESOLUTION APPROVING WIFIA REVIEW SERVICES BY ENVIRONMENTAL PROTECTION AGENCY AND FINANCIAL ADVISORY SERVICES AND RESOLUTION APPROVING LEGAL ADVISORY SERVICES FOR WIFIA LOAN APPLICATION

Proposed Actions:

- i. Move approval of WIFIA REVIEW SERVICES IN AN AMOUNT NOT TO EXCEED \$100,000 AND AUTHORIZE MANAGER TO APPROVE UP TO TEN PERCENT CONTINGENCY FOR ADDITIONAL WORK ON AN AS-NEEDED BASIS – UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 - ii. Move approval of WIFIA FINANCIAL SERVICES SUPPORT IN AN AMOUNT NOT TO EXCEED \$107,000 AND AUTHORIZE MANAGER TO APPROVE UP TO TEN PERCENT CONTINGENCY FOR ADDITIONAL WORK ON AN AS-NEEDED BASIS – FIELDMAN, ROLAPP & ASSOCIATES
 - iii. Move adoption of RESOLUTION APPROVING LEGAL SERVICES AGREEMENT AND APPROVE TASK ORDER FOR WIFIA LEGAL SERVICES IN AN AMOUNT NOT TO EXCEED \$75,000 AND AUTHORIZE MANAGER TO APPROVE UP TO TEN PERCENT CONTINGENCY FOR ADDITIONAL WORK ON AN AS-NEEDED BASIS – STRADLING YOCCA CARLSON & RAUTH, P.C.
- D. CONSIDERATION OF MOTION ACCEPTING AND RECEIVING SILICON VALLEY CLEAN WATER BASIC FINANCIAL STATEMENTS AND AUDITOR'S REPORTS FOR FISCAL YEAR 2017-18

Proposed Action:

Move approval of RECEIPT AND ACCEPTANCE OF BASIC FINANCIAL STATEMENTS AND INDEPENDENT AUDITORS' REPORT FOR YEAR ENDED JUNE 30, 2018

E. CONSIDERATION OF RESOLUTION APPROVING MASTER SERVICES AGREEMENT AND MOTION APPROVING A TASK ORDER SCOPE AND BUDGET FOR INFORMATION SERVICES TO ACCESS COMMUNICATIONS

Proposed Action:

Move adoption of RESOLUTION APPROVING MASTER SERVICES AGREEMENT FOR COMPUTER NETWORK INFRASTRUCTURE ENHANCEMENTS AND APPROVE PURCHASE ORDER SCOPE AND BUDGET FOR FIBER OPTIC DESIGN AND INSTALLATION IN AN AMOUNT NOT TO EXCEED \$80,000 AND AUTHORIZE MANAGER TO APPROVE UP TO TEN PERCENT CONTINGENCY FOR ADDITIONAL WORK ON AN AS-NEEDED BASIS – ACCESS COMMUNICATIONS, INC.

F. CONSIDERATION OF RESOLUTION REVISING COMMISSION MEETING DAY AND REVISION TO ADMINISTRATIVE POLICIES 1980-01 and 1987-04

Proposed Actions:

- i. Move adoption of RESOLUTION ESTABLISHING DAY, TIME AND PLACE OF REGULAR MEETINGS OF THE COMMISSION OF SILICON VALLEY CLEAN WATER AND RESCINDING RESOLUTION NO. SVCW 16-08
- ii. Move adoption of RESOLUTION APPROVING AND ADOPTING REVISION D TO ADMINISTRATIVE POLICY 1980-01 ESTABLISHING COMMISSION AGENDA PREPARATION PROCEDURE AND IMPLEMENTATION OF BROWN ACT AND RESCINDING ADMINISTRATIVE POLICY 1987-04