

**COMMISSION OF SILICON VALLEY CLEAN WATER
JOINT POWERS AUTHORITY
REGULAR MEETING – Monday, May 20, 2019
8:00 a.m.**

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

COMMISSIONERS

COUNCIL MEMBER WARREN LIEBERMAN, PhD., BELMONT – CHAIR

COUNCIL MEMBER ALICIA AGUIRRE, REDWOOD CITY – VICE CHAIR

BOARD MEMBER GEORGE OTTE, P.E., WEST BAY SANITARY DISTRICT – SECRETARY

MAYOR MARK OLBERT, SAN CARLOS – MEMBER

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
- 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

6. MATTERS OF COMMISSION MEMBER'S INTEREST

7. CONSIDERATION OF MOTION APPROVING CONSENT CALENDAR

8. BUSINESS ITEMS

A. CONSIDERATION OF RESOLUTION TO APPROVE CONTRACT CHANGE ORDERS TO TWO RESCU PROJECTS: GRAVITY PIPELINE AND FRONT OF PLANT

Proposed Action:

Move adoption of RESOLUTION AUTHORIZING THE SILICON VALLEY CLEAN WATER MANAGER TO APPROVE CONTRACT CHANGE ORDERS FOR GRAVITY PIPELINE PROJECT AND FRONT OF PLANT PROJECT IN AN AMOUNT NOT TO EXCEED \$800,000 SUBJECT TO CONFIRMATION OF ACTUAL COSTS UPON PROJECTS' COMPLETIONS

B. CONSIDERATION OF RESOLUTION AND MOTIONS AUTHORIZING SVCW TO ENTER INTO THE WATER INFRASTRUCTURE FINANCE AND INNOVATION ACT (WIFIA) LOAN AND ISSUE 2019 WASTEWATER REVENUE NOTES

Proposed Actions:

- i. Move adoption of RESOLUTION OF THE COMMISSION OF SILICON VALLEY CLEAN WATER AUTHORIZING THE EXECUTION AND DELIVERY OF A WIFIA LOAN AGREEMENT, THE ISSUANCE OF CERTAIN INTERIM FINANCING AND CERTAIN DOCUMENTS AND OTHER MATTERS IN CONNECTION THEREWITH

- ii. Move approval of WIFIA REVIEW SERVICES IN AN AMOUNT NOT TO EXCEED \$350,000 AND AUTHORIZE MANAGER TO APPROVE UP TO TEN PERCENT CONTINGENCY FOR ADDITIONAL WORK ON AN AS-NEEDED BASIS – UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
- iii. Move approval of ADDITIONAL FUNDS FOR WIFIA LEGAL SERVICES IN AN AMOUNT NOT TO EXCEED \$50,000 AND AUTHORIZE MANAGER TO APPROVE UP TO TEN PERCENT CONTINGENCY FOR ADDITIONAL WORK ON AN AS-NEEDED BASIS – STRADLING YOCCA CARLSON & RAUTH, P.C.

9. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code §54956.9(d)(1)

Case Name: *In the Matter of the Calculation of Final Compensation of David A. Hall, Respondent, and Silicon Valley Clean Water, Respondent* (Board of Administration, California Public Employees' Retirement System, Agency Case No. 2015-1236 OAH NO. 2016030664; Court of Appeal Case Number A155943 (SI065-005))

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code §54956.9(d)(1)

Case Name: Board of Administration, California Public Employees' Retirement System, *In the Matter of the Appeal Regarding the Uniform Allowance of Silicon Valley Clean Water* (Agency Case No. 2016-0818; OAH Case No. 2017070696)

C. 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)

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 – April 15, 2019 Meeting
- B. CONSIDERATION OF MOTION APPROVING CLAIMS AND CHECKS DATED APRIL 5, 2019, APRIL 19, 2019, AND MAY 1, 2019 AND NECESSARY PAYMENTS THROUGH MAY 1, 2019
- C. CONSIDERATION OF RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING WITH CITY OF REDWOOD CITY FOR PUBLIC RELATIONS SERVICES

Proposed Action:

Move adoption of RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING WITH CITY OF REDWOOD CITY FOR PROFESSIONAL PUBLIC RELATIONS SERVICES AND AUTHORIZING MANAGER TO EXECUTE SAID MEMORANDUM OF UNDERSTANDING

- D. CONSIDERATION OF RESOLUTION APPROVING MASTER SERVICES AGREEMENT WITH PFM ASSET MANAGEMENT LLC FOR INVESTMENT ADVISORY SERVICES

Proposed Action:

Move adoption of RESOLUTION AUTHORIZING EXECUTION OF A MASTER SERVICES AGREEMENT FOR INVESTMENT ADVISORY SERVICES – PFM ASSET MANAGEMENT, LLC

- E. CONSIDERATION OF RESOLUTION ADOPTING THE UPDATED SVCW SEWER SYSTEM MANAGEMENT PLAN (SSMP)

Proposed Action

Move adoption of RESOLUTION APPROVING AND ADOPTING THE UPDATED SVCW SANITARY SEWER MANAGEMENT PLAN AND AUTHORIZING THE SVCW MANAGER TO RE-CERTIFY THE SAME