

**COMMISSION OF SILICON VALLEY CLEAN WATER  
JOINT POWERS AUTHORITY  
REGULAR MEETING – Thursday, June 14, 2018  
8:00 a.m.**

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

**COMMISSIONERS**

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

**ACTING MANAGER:** TERESA HERRERA

**ATTORNEY FOR THE AUTHORITY:** CHRISTINE C. FITZGERALD

**CONTROLLER/TREASURER:** KIMBRA MCCARTHY

**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 April 30, 2018
- D. Engineering Projects Status Update May 2018
- E. Commission Requested Staff-Level Action Items
- F. RESCU Program Design-Build Project Status Update May 2018

6. MATTERS OF COMMISSION MEMBER'S INTEREST

7. CONSIDERATION OF MOTION APPROVING CONSENT CALENDAR

8. BUSINESS ITEMS

A. CONSIDERATION OF RESOLUTION AWARDDING CONSTRUCTION CONTRACT FOR CHLORINE CONTACT TANK PASS 1 SURFACE REHABILITATION PROJECT

Proposed Action: Move adoption of RESOLUTION APPROVING CONSTRUCTION CONTRACT DOCUMENTS FOR CHLORINE CONTACT TANK (CCT) PASS 1 SURFACE REHABILITATION PROJECT (CIP #9107); ACCEPTING BID OF LOWEST RESPONSIBLE BIDDER, REJECTING ALL OTHER BIDS; AND AUTHORIZING EXECUTION OF AGREEMENT, DIRECTING RETURN OF SECURITY DEPOSITS AND AUTHORIZING MANAGER TO APPROVE CONTRACT CHANGE ORDERS UP TO TEN PERCENT OF THE CONTRACT PRICE FOR SAID PROJECT – F.D. THOMAS, INC. (\$389,359)

B. CONSIDERATION OF RESOLUTION AWARDDING STAGE 2A AMENDMENT TO PROGRESSIVE DESIGN-BUILD AGREEMENT FOR FRONT OF PLANT PROJECT

Proposed Action: Move adoption of RESOLUTION APPROVING STAGE 2A DESIGN BUILD AGREEMENT AMENDMENT FOR FRONT OF PLANT PROJECT (CIP #6013, 6014, 9160); AND AUTHORIZING MANAGER TO APPROVE CONTRACT CHANGE ORDERS UP TO TEN PERCENT OF THE CONTRACT PRICE FOR SAID STAGE 2A AMENDMENT – SHEA/PARSONS JOINT VENTURE - (\$2,193,575)

C. CONSIDERATION OF RESOLUTION AUTHORIZING THE BORROWING OF NOT TO EXCEED \$65,000,000 FROM WELLS FARGO UNDER A REVOLVING LINE OF CREDIT, AND APPROVING RELATED FINANCING DOCUMENTS AND OFFICIAL ACTIONS

Proposed Action: Move adoption of RESOLUTION OF THE COMMISSION OF SILICON VALLEY CLEAN WATER AUTHORIZING THE AMENDMENT OF A CREDIT AGREEMENT WITH WELLS FARGO BANK, NATIONAL ASSOCIATION, AND APPROVING RELATED FINANCING DOCUMENTS AND OFFICIAL ACTIONS; AND RESCINDING RESOLUTION NO. 18-35

D. CONSIDERATION OF RESOLUTION AUTHORIZING PROCUREMENT OF OCIP INSURANCE COVERAGE FOR PROGRESSIVE DESIGN BUILD PROJECTS

Proposed Action: Move adoption of RESOLUTION AUTHORIZING THE SVCW MANAGER TO PROCURE INSURANCE COVERAGE FOR SILICON VALLEY CLEAN WATER'S OWNER CONTROLLED INSURANCE PROGRAM FOR PROGRESSIVE DESIGN BUILD PROJECTS AND AUTHORIZING MANAGER TO APPROVE CHANGES IN COVERAGES UP TO TEN PERCENT OF THE PREMIUM AMOUNTS

E. CONSIDERATION OF RESOLUTION AMENDING SECTIONS OF THE JOINT POWERS AGREEMENT RELATED TO THE AUTHORITY'S TREASURER AND CONTROLLER ROLES.

Proposed Action: Move adoption of RESOLUTION PROPOSING AMENDMENTS TO SECTIONS 1.16, 1.36, 3.2, 3.3, 6.5, 6.6, AND 6.7 OF JOINT EXERCISE OF POWERS AGREEMENT ESTABLISHING SOUTH BAYSIDE SYSTEM AUTHORITY, NOW KNOWN AS SILICON VALLEY CLEAN WATER, RELATING TO THE DESIGNATIONS AND ASSIGNMENTS OF TREASURER AND CONTROLLER OF THE AUTHORITY

F. CONSIDERATION OF RESOLUTIONS ESTABLISHING CLASSIFICATIONS, RATES OF PAY AND RELATED COMPENSATION FOR CONFIDENTIAL GENERAL, PROFESSIONAL, UNREPRESENTED GENERAL, AND MANAGEMENT EMPLOYEES AND APPROVE CONSOLIDATED PAY SCHEDULE

Proposed Actions:

Move adoption of:

- i. RESOLUTION ESTABLISHING RATES OF PAY AND RELATED COMPENSATION FOR MANAGEMENT EMPLOYEES OF SILICON VALLEY CLEAN WATER AND RESCINDING AND RESTATING CERTAIN PROVISIONS OF RESOLUTION NO. SVCW 17-63 AND RESCINDING ANY AND ALL OTHER RESOLUTIONS OR PORTIONS THEREOF IN CONFLICT HEREWITH

- ii. RESOLUTION ESTABLISHING RATES OF PAY AND RELATED COMPENSATION FOR CONFIDENTIAL GENERAL EMPLOYEES OF SILICON VALLEY CLEAN WATER AND RESCINDING AND RESTATING CERTAIN PROVISIONS OF RESOLUTION NO. SVCW 17-65 AND RESCINDING ANY AND ALL OTHER RESOLUTIONS OR PROVISIONS THEREOF IN CONFLICT HEREWITH
  - iii. RESOLUTION ESTABLISHING RATES OF PAY AND RELATED COMPENSATION FOR UNREPRESENTED GENERAL EMPLOYEE POSITIONS OF ENGINEERING INTERN, LABORATORY ASSISTANT AND GENERAL INTERN AND RESCINDING RESOLUTION NO. SVCW 17-36 AND ANY AND ALL OTHER RESOLUTIONS OR PORTIONS THEREOF IN CONFLICT HEREWITH
  - iv. RESOLUTION ESTABLISHING RATES OF PAY FOR PROFESSIONAL EMPLOYEES OF SILICON VALLEY CLEAN WATER AND RESCINDING AND RESTATING CERTAIN PROVISIONS OF RESOLUTION NO. SVCW 17-64 AND RESCINDING ANY AND ALL OTHER RESOLUTIONS OR PORTIONS THEREOF IN CONFLICT HEREWITH
  - v. RESOLUTION AMENDING SECTION 6 OF RESOLUTION NO. SVCW 77-6, THE SVCW PERSONNEL RESOLUTION, RELATING TO CLASSIFICATION OF POSITIONS AND RESCINDING PARAGRAPH 1 OF RESOLUTION NO. SVCW 17-66 AND ANY AND ALL OTHER RESOLUTIONS OR PROVISIONS THEREOF IN CONFLICT HEREWITH
  - vi. RESOLUTION APPROVING AND ADOPTING CONSOLIDATED PAY SCHEDULE FOR ALL REPRESENTED AND UNREPRESENTED EMPLOYEES OF SILICON VALLEY CLEAN WATER FOR FISCAL YEAR 2018-2019
- G. CONSIDERATION OF RESOLUTION APPOINTING SVCW ACTING MANAGER
- Proposed Actions:
- i. CHAIR TO ORALLY REPORT OUT RECOMMENDATION THAT ACTING MANAGER'S MONTHLY SALARY AMOUNT BE SET AT \$29,584.00, WHICH IS THE CURRENT SALARY RATE FOR THE MANAGER POSITION.
  - ii. Move approval of RESOLUTION APPOINTING TERESA HERRERA AS ACTING MANAGER OF SILICON VALLEY CLEAN WATER AND ESTABLISHING COMPENSATION

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 (Two Potential Cases)

B. LABOR NEGOTIATIONS (Govt. Code Section 54957.6(a))

AGENCY NEGOTIATORS: Teresa Herrera, SVCW Acting Manager

Matt Anderson, Chief Financial Officer/Admin. Manager

Jennifer Flick, SVCW Human Resources Director

Monte Hamamoto, SVCE Chief Operating Officer

Darrell Murray, IEDA

EMPLOYEE ORGANIZATION: IUOE LOCAL 39

C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property Description: San Carlos Airport, San Carlos, CA (APN(s): 095-220-140, 046-082-010, 046-081-790, 046-081-580, 095-030-230)

SVCW Negotiators: Lillian Jewell, Kevin Thorne (Hamner, Jewell & Associates); SVCW Manager Teresa Herrera, Bruce Burnworth

Negotiating Parties: County of San Mateo, Real Property Division

Under Negotiation: Price and terms

D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property Description: Maple Street, Redwood City, CA

SVCW Negotiators: Lillian Jewell, Kevin Thorne (Hamner, Jewell & Associates); SVCW Manager, Teresa Herrera

Under Negotiation: Price and terms

E. PUBLIC EMPLOYEE APPOINTMENT

Government Code Section 54957

Title: Manager

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 –
  - (i) May 10, 2018 Regular Meeting
  - (ii) May 22, 2018 Special Meeting
  
- B. CONSIDERATION OF MOTION APPROVING CLAIMS AND CHECKS DATED MAY 18, 2018, MAY 31, 2018 AND JUNE 1, 2018 AND NECESSARY PAYMENTS THROUGH JUNE 1, 2018
  
- C. CONSIDERATION OF MOTION COMPLETING DUE DILIGENCE AND WITHDRAWING SVCW INTEREST IN SAN MATEO WASTEWATER TREATMENT PLANT OPERATIONS AND MAINTENANCE

Proposed Action: Move to WITHDRAW SVCW INTEREST IN OPERATIONS AND MAINTENANCE OF CITY OF SAN MATEO WASTEWATER TREATMENT PLANT

- D. CONSIDERATION OF MOTION TO RATIFY APPROVAL OF NAVIGATORS SETTLEMENT

Proposed Action: Move to RATIFY SETTLEMENT AGREEMENT WITH NAVIGATORS INSURANCE COMPANY FOR GAS CONDITIONING SYSTEM

- E. CONSIDERATION OF RESOLUTION TO MODIFY FACILITIES USE AGREEMENT WITH TANNER PACIFIC, INC.

Proposed Action: Move adoption of RESOLUTION APPROVING AMENDMENT NO. 1 TO FACILITIES USE AGREEMENT WITH TANNER PACIFIC, INC. (1406 RADIO ROAD)

- F. CONSIDERATION OF MOTION APPROVING PURCHASE OF “WAS” BY PHOENIX WATER RECYCLING

Proposed Action: Move approval of PURCHASE OF 10,000 GALLONS OF WASTE ACTIVATED SLUDGE (WAS) FROM THE SVCW FACILITY BY PHOENIX WATER RECYCLING