

MINUTES OF SILICON VALLEY CLEAN WATER  
REGULAR MEETING – JUNE 8, 2017

**ITEM 1**

CALL TO ORDER

The meeting was called to order at 4:00 p.m.

**ITEM 2**

ROLL CALL - Commissioners Duly Appointed by Each Agency

Mayor John Seybert, Redwood City – Chair

Board Member George S. Otte, P.E., West Bay Sanitary District

Mayor Robert Grassilli, San Carlos – Secretary

Absent: Council Member Warren Lieberman, PhD., Belmont– Vice Chair

Staff, Consultants and Visitors Present

Christine C. Fitzgerald, SVCW Legal Counsel

Daniel T. Child, SVCW Manager

Teresa Herrera, SVCW Assistant Manager/Authority Engineer

Matt Anderson, SVCW Chief Financial Officer

Linda Bruemmer, SVCW Administrative Services Director

Monte Hamamoto, SVCW Wastewater Superintendent

Kim Hackett, SVCW Engineering Director

Bruce Burnworth, SVCW Senior Engineer

Cindy Hui, SVCW Financial Analyst

Jennifer Flick, SVCW Human Resources Director

Ilana Schmidt, SVCW Administrative Assistant

Robert Huffstutler, SVCW Operations Director

Bill Tanner, Tanner Pacific, Inc.

Derek Rampone, City of Redwood City

Jay Walter, City of San Carlos

Afshin Oskoui, City of Belmont

Mark Minkowski, Kennedy/Jenks Consultants

Ken Kaufman, Member of the Public

**ITEM 3**

PLEDGE OF ALLEGIANCE

Commissioner George Otte led those attending the meeting in the recital of the Pledge of Allegiance.

**ITEM 4**

PUBLIC COMMENT

There was no Public Comment.

**ITEM 5A**  
SAFETY MOMENT

Mr. Child discussed evacuation route planning in the event of an emergency.

**ITEM 5B**  
MANAGER'S REPORT

Commission Meeting Schedule: Mr. Child confirmed the new start time for the Board Meetings. Beginning July 13, 2017, SVCW's Commission Meeting's will commence at 8:00 a.m.

Budget Presentation: Mr. Child inquired about visiting each member's City Council and/or Committees for a budget presentation and added in the past, he, Ms. Herrera and Mr. Anderson have presented updates to the SVCW Member Entities between June and November. Commissioner Seybert asked Mr. Child to reach out to Redwood City's Public Works Director to schedule a presentation to the City's Utilities Committee. Mr. Child added there will also be a CIP update in the August to September time frame and once it is available would be great time to get the information to community leaders and the public.

**ITEM 5C**  
FINANCIAL REPORTS

Commission Chair Seybert asked if there were any questions on the Financial Report. There were none.

**ITEM 5F**  
RESCU PROGRAM DESIGN-BUILD PROJECT STATUS UPDATE

Ms. Herrera provided a status update on Design-Build activities with two projects, the Gravity Pipeline (Tunnel) Project and the Front of Plant Project.

Ms. Herrera shared that SVCW just completed interviews related to the Statements of Qualifications (SOQ) respondents for the Gravity Pipeline Project and have shortlisted three firms to proceed to the Proposal phase. At the same time, there were five SOQ's received from very reputable firms for the Front of the Plant Projects and interviews are scheduled in the next couple weeks. Ms. Herrera addressed the Commission's concern about the procedure to address protests associated with the selection process. Ms. Herrera stated that Section 9.8 in the Request for Qualifications (RFQ) specifically addresses and outlines the rules and protocol for appeal.

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

Commissioner Seybert shared the letter received from Representative Anna Eshoo who wrote to the U.S.E.P.A.'s Executive Administrator, Mr. Scott Pruitt, in support of Silicon

Valley Clean Water's application for financing under W.I.F.I.A. Commissioner Seybert requested Mr. Child draft a letter on behalf of the Commission thanking her for her efforts.

Secondly, Mr. Seybert realized as he was going through the performance evaluation documents for SVCW's Manager, that SVCW Legal Counsel, Ms. Christine Fitzgerald, does not receive an annual evaluation due to her being in a contracted position. Mr. Seybert continued, and asked the other Commissioners for their support, as he expressed his and the Commission's sincere appreciation for her tremendous efforts, and a job very well done in representing SVCW and the Board of Commissioners.

#### **ITEM 7**

#### **CONSIDERATION OF MOTION APPROVING CONSENT CALENDAR**

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

The motion carried by unanimous roll call vote.

#### **ITEM 8A**

#### **CONSIDERATION OF RESOLUTION AWARDED CONSTRUCTION CONTRACT FOR THE SITE STABILIZATION GRADING AND DRAINAGE PROJECT (CIP #6013)**

Ms. Herrera displayed an aerial photograph showing where the Front of the Plant Project is taking place. She stated that lime will be added to strengthen and stabilize the soil. The image also depicted the improvements that will be most noticeable to SVCW staff and Commissioners; the new staff and public entrance, parking and a new roadway. Ms. Herrera proceeded with recommending award of a construction contract for the project to Teichert Construction, the lowest responsible bidder.

Commissioner Grassilli asked about future access to the nearby dog park. Ms. Herrera said the dog park is not affected and the public will still have access.

Commissioner Seybert asked when the project is expected to be complete. Ms. Herrera replied work needs to be complete by mid-October because the intent is to move trailers into the area before wet weather begins. Commissioner Seybert asked if the parking lot by the dog park is heavily used. Ms. Herrera responded that since the recycled water landscape impoundment had been drained, there are very few bird watchers and the area does not see much traffic anymore. Ms. Herrera added that SVCW has been proactive in reaching out to the Redwood Shores Community via newsletters and articles in the Pilot Magazine.

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

Move adoption of RESOLUTION APPROVING CONSTRUCTION CONTRACT DOCUMENTS FOR SOIL STABILIZATION GRADING AND DRAINAGE PROJECT (CIP #6013); 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 – Teichert Construction - (\$4,205,200)

The Resolution carried by Unanimous Roll Call Vote.

**ITEM 8B**

CONSIDERATION OF MOTION AND RESOLUTION APPROVING UPDATE TO SOLE-SOURCE SPECIFIC EQUIPMENT AT SVCW FACILITIES

Ms. Herrera provided a brief update on changes to the list since the last update in June 2014. She added the period covered is from June 2017 to May 2022 and has three deletions, six name changes and seven new items.

Commissioner Grassilli inquired about whether the list went up or down since 2014 and commented that though they are sole-source items, the more the list grows the less competition there is. Ms. Herrera said it remains relatively constant. Mr. Child added that most sole-source purchases made are to match existing equipment to provide consistency in the equipment spare parts inventory and employee operational and maintenance knowledge. This saves money for ratepayers by eliminating duplication of systems doing the same work.

Commissioner Otte commented that the items on the list are very good and recognized several from when he was in the field.

Commissioner Seybert asked what the review process is once the list is adopted and Mr. Child said the list is reviewed frequently to maintain accuracy and keeping an eye on trends because things can and do change over a five-year period.

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

- i. Move approval TO SUSPEND COMPETITIVE BIDDING REQUIREMENTS BASED ON PUBLIC CONTRACTS CODE (PCC) SECTION 3400 WHICH AUTHORIZES THE SILICON VALLEY CLEAN WATER TO PURCHASE SPECIFIC EQUIPMENT WITHOUT SPECIFYING “OR EQUAL” MANUFACTURERS AND EQUIPMENT (SOLE SOURCE) (5/7th weighted vote required)

The Motion carried by Unanimous Roll Call Vote.

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

- ii. Move adoption of RESOLUTION ALLOWING FOR THE SOLE SOURCE SPECIFICATION AND PURCHASE OF STANDARDIZED EQUIPMENT AND MATERIALS AS LISTED, TO MATCH EXISTING, PROVEN EFFECTIVE OR

TESTED EFFECTIVE EQUIPMENT FOR A PERIOD OF FIVE YEARS FROM JUNE 2017 THROUGH MAY 2022

The Resolution carried by Unanimous Roll Call Vote.

**ITEM 8C**

CONSIDERATION OF RESOLUTION TO ESTABLISH RATES OF PAY FOR CONFIDENTIAL GENERAL, PROFESSIONAL, MANAGEMENT AND UNREPRESENTED GENERAL EMPLOYEES AND APPROVE A CONSOLIDATED PAY SCHEDULE FOR ALL EMPLOYEES

Mr. Child provided background history on the proposed Resolutions and explained that every year SVCW is required to approve pay scales and post the approved consolidated pay schedule on SVCW's website in compliance with laws requiring the posting for transparency. Mr. Child noted this year's recommendations include the implementation of a 401(a) plan to address future recruitment and retaining issues of senior level positions due to the impacts of the Public Employee's Pension Reform Act (PEPRA). Mr. Child noted this need was mentioned and budgeted in the upcoming FY 2017-2018 budget process.

Mr. Child continued to explain the current Memorandum of Understanding (MOU) with Local 39, which is up for re-negotiation next year, calls for a 3% Cost of Living Adjustment (COLA) for those employees covered by the labor agreement. In the past, a COLA has been given to unrepresented SVCW employees not covered by the MOU equal to what is given to those covered by the labor agreement. Mr. Child added that the newly structured salary ranges incorporate management recommendations related to the findings of the recently completed SVCW salary survey by the Gallagher Company.

Commissioner Seybert asked if the salary survey results were found to be of value and Mr. Child replied most definitely. Commissioner Seybert also asked how often these compensation surveys would be conducted. Mr. Child replied that the survey has historically been performed in preparation for negotiations related to the MOU update, which is currently every five years, but has been as short as two and as long as seven years.

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

- 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 16-23 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 16-24 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 AND LABORATORY ASSISTANT AND RESCINDING RESOLUTION NO. SVCW 16-25 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 16-26 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 16-27 AND ANY AND ALL OTHER RESOLUTIONS OR PROVISIONS THEREOF IN CONFLICT HEREWITH
- vi. RESOLUTION ESTABLISHING A DEFINED CONTRIBUTION PENSION PLAN PURSUANT TO SECTION 401(a) OF THE INTERNAL REVENUE CODE
- vii. RESOLUTION APPROVING CONSOLIDATED PAY SCHEDULE FOR ALL REPRESENTED AND UNREPRESENTED EMPLOYEES OF SILICON VALLEY CLEAN WATER EFFECTIVE JUNE 18, 2017

The Resolutions carried by Unanimous Roll Call Vote.

**ITEM 9**

CLOSED SESSION

Closed Session commenced at 4:28 p.m.

- A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION ((Government Code §54957)  
Title: Manager

**ITEM 10**

RECONVENE IN OPEN SESSION

Open Session reconvened at 4:43 p.m.

SVCW Legal Counsel, Ms. Christine Fitzgerald, reported discussions were held on the Closed Session items, and Commission approved Manager's performance incentive for the current year and salary for Fiscal Year 2017-2018. Formal action will confirm the Manager's compensation at the July Commission Meeting.

**ITEM 11**

**ADJOURN**

There being no further business, the meeting adjourned at 4:45 p.m.



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Robert Grassilli, Secretary

By: Daniel T. Child, Manager