

**MINUTES OF SILICON VALLEY CLEAN WATER
REGULAR MEETING – September 21, 2020
8:00 a.m.**

**This meeting took place remotely pursuant to
SVCW Resolution No. 20-08 due to coronavirus pandemic**

ITEM 1

CALL TO ORDER

The meeting was called to order at 8:01 a.m.

ITEM 2

ROLL CALL - Commissioners Duly Appointed by Each Agency

Council Member Alicia Aguirre, Redwood City – Chair
Board Member George Otte, P.E., West Bay Sanitary District – Vice Chair
Council Member Warren Lieberman, PhD., Belmont – Secretary
Council Member Mark Olbert, San Carlos

Staff, Consultants and Visitors Present

Teresa A. Herrera, SVCW Manager
Christine Fitzgerald, SVCW Legal Counsel
Jennifer Flick, SVCW Human Resources Director
Matt Anderson, SVCW Chief Financial Officer/Assistant Manager
Monte Hamamoto, SVCW Chief Operating Officer
Kim Hackett, SVCW Authority Engineer
Arvind Akela, SVCW Engineering Director
Aniruddha Bhagwat, SVCW Senior Engineer
Jessica Mangual, SVCW Secretary Pro Tem
Eric Hansen, SVCW Senior Engineer
EJ Shalaby, Senior Consultant, DNS Strategic Partners
Bill Tanner, Tanner Pacific, Inc.
Mike Jaeger, Tanner Pacific, Inc.
John Mahoney, Tanner Pacific, Inc
Mark Minkowski, Kennedy/Jenks
Steven Machida, City of San Carlos
Aren Hansen, Brown & Caldwell
Derek Rampone, City of Redwood City
Theresa Yee, City of Redwood City
Sergio Ramirez, West Bay Sanitary District
Ellen Clark, PFM
Douglas Brown, Stradling Yocca Carlson & Rauth
Lora Carpenter, Fieldman Rolapp
Robert Porr, Fieldman Rolapp

ITEM 3

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited by those in attendance

ITEM 4

PUBLIC COMMENT

There was no Public Comment

ITEM 9

CLOSED SESSION

Commission granted a motion to move Closed Session

Motion/Second: Mr. Lieberman / Mr. Otte

The Motion carried by Unanimous Roll Call Vote

Prior to convening in Closed Session, SVCW General Counsel Christine C. Fitzgerald stated as follows: Pursuant to paragraph 2 of subdivision (e) of Govt Code Section 54956.9, the facts and circumstances supporting item 9C arise from SVCW's construction of the RESCU Program Pump Stations Improvements Project on a portion of property located on Skyway Road and owned by the City of San Carlos; Commissioner Olbert also recused himself from all Closed Session Agenda Items which relate to matters concerning property owned by the City of San Carlos, the SVCW Member Agency which he represents, based on a conflict of interest.

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property Description: 525 Skyway Road, San Carlos

SVCW Negotiators: Kim Hackett, Authority Engineer

Negotiating Parties: Samantha Bechtel, General Manager, Izzy's Steak House

Under Negotiation: Price and terms

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property Description: 525 Skyway Road, San Carlos

SVCW Negotiators: Kim Hackett, Authority Engineer

Negotiating Parties: City of San Carlos

Under Negotiation: Price and terms

C. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Government Code Section 54956.9 (One Potential Case)

Closed Session was then called to order at 8:06 a.m.

ITEM 10

RECONVENE IN OPEN SESSION

Open Session reconvened at 8:31 a.m.

Ms. Fitzgerald reported that as to Items 9A, 9B, and 9C no reportable action was taken and Commission gave direction to staff and Counsel.

ITEM 5

SAFETY MOMENT AND REPORTS

Instructions for enabling live captioning on the remote meeting site were provided.

Safety Moment concerned tips for fire safety and tips to help plan your home fire escape.

For the remaining written reports contained within the agenda packets, there were no questions nor comments.

ITEM 6

MATTERS OF COMMISSION MEMBER'S INTEREST

There were no comments.

ITEM 7

CONSIDERATION OF MOTION APPROVING CONSENT CALENDAR ITEMS 7A THROUGH 7D

- A. APPROVAL OF MINUTES – August 17, 2020
- B. CONSIDERATION OF MOTION APPROVING CLAIMS AND CHECKS DATED JULY 31, 2020, AUGUST 7, 2020, AND AUGUST 21, 2020 AND NECESSARY PAYMENTS THROUGH AUGUST 21, 2020
- C. CONSIDERATION OF RESOLUTION APPROVING REVISIONS TO SVCW ADMINISTRATIVE POLICY 2017-01, STATEMENT OF DEBT MANAGEMENT POLICY

Proposed Action:

Move adoption of RESOLUTION APPROVING AND ADOPTING REVISION C TO ADMINISTRATIVE POLICY 2017-01, STATEMENT OF DEBT MANAGEMENT POLICY

D. CONSIDERATION OF RESOLUTION ADOPTING INVESTMENT POLICY STATEMENT FOR SILICON VALLEY CLEAN WATER'S SECTION 115 PENSION LIABILITY STABILIZATION TRUST

Proposed Actions:

Move adoption of RESOLUTION OF THE SILICON VALLEY CLEAN WATER COMMISSION APPROVING THE ADOPTION OF INVESTMENT POLICY STATEMENT

Motion/Second: Mr. Olbert / Mr. Otte

The Motion carried by Unanimous Roll Call Vote

ITEM 8A

CONSIDERATION OF RESOLUTION AUTHORIZING SILICON VALLEY CLEAN WATER TO COLLABORATE WITH ITS MEMBER AGENCIES, MUNICIPAL ADVISOR, AND BOND AND DISCLOSURE COUNSEL TO REFUND BONDS AND TO UTILIZE A NEGOTIATED BID METHOD

Proposed Action:

Move adoption of RESOLUTION OF THE COMMISSION OF SILICON VALLEY CLEAN WATER AUTHORIZING AND DIRECTING STAFF TO TAKE CERTAIN PRELIMINARY ACTIONS WITH RESPECT TO THE ISSUANCE OF REFUNDING BONDS

Motion/Second: Mr. Olbert / Mr. Otte

The Motion carried by Unanimous Roll Call Vote

ITEM 8B

CONSIDERATION OF RESOLUTION APPROVING ADDITIONAL EXPENDITURES FOR PERMANENT REPAIRS TO THE EFFLUENT PIPELINE AND TERMINATION OF EMERGENCY CONDITION

Proposed Actions:

- i. Move adoption of RESOLUTION TERMINATING THE SUSPENSION OF COMPETITIVE BIDDING REQUIREMENTS CONFERRED BY RESOLUTION NO. 19-09 AND THE CORRESPONDING MANAGER AUTHORITY AND APPROVAL OF ADDITIONAL AND FINAL EXPENDITURES UP TO \$250,000 (EFFLUENT PIPE LEAK REPAIR - Project #289)
- ii. Move approval of MOTION TO ACCEPT EFFLUENT PIPE LEAK REPAIR PROJECT (Project #289) – POWER ENGINEERING CONTRACTORS

Motion/Second: Mr. Olbert / Mr. Otte

The Motion carried by Commissioners Aguirre, Olbert, and Otte. Commissioner Lieberman departed the meeting at 9:09 a.m. and was absent from the vote.

ITEM 8C

EXECUTE AN AMENDED WATER INFRASTRUCTURE FINANCE AND INNOVATION ACT LOAN AGREEMENT WITH THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Proposed Action:

Move adoption of RESOLUTION OF THE COMMISSION OF SILICON VALLEY CLEAN WATER AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO, OR A RE-EXECUTION AND DELIVERY OF, THE WIFIA LOAN AGREEMENT TO LOWER THE INTEREST RATE THEREIN AND CERTAIN OTHER MATTERS

Motion/Second: Mr. Olbert / Mr. Otte

The Motion carried by Commissioners Aguirre, Olbert, and Otte. Commissioner Lieberman departed the meeting at 9:09 a.m. and was absent from the vote.

ITEM 11

ADJOURN

There being no further business, the meeting adjourned at 9:25 a.m.

Minutes prepared by Teresa A. Herrera
Reviewed by General Counsel

DocuSigned by:

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Warren Lieberman, Secretary