

**Silicon Valley Clean Water**

**AGENDA ITEM 7A  
DECEMBER 14, 2020**

**MINUTES OF SILICON VALLEY CLEAN WATER  
REGULAR MEETING – November 16, 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 8:03 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  
Jessica Mangual, SVCW Secretary Pro Tem  
Eric Hansen, SVCW Senior Engineer  
Kara Tremblay, SVCW Engineer  
EJ Shalaby, Senior Consultant, DNS Strategic Partners  
Bill Tanner, Tanner Pacific, Inc.  
John Mahoney, Tanner Pacific, Inc  
Sheryl Chia, Kennedy/Jenks  
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  
Douglas Brown, Stradling, Yocca, Carlson, and Rauth  
Tyler Old, JPMorgan

**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 5**

**SAFETY MOMENT AND REPORTS**

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

Safety Moment concerned tips on how to use space heaters properly.

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 7B**

- A. APPROVAL OF MINUTES – October 19, 2020 Regular Meeting
- B. CONSIDERATION OF MOTION APPROVING CLAIMS AND CHECKS DATED OCTOBER 1, OCTOBER 2, OCTOBER 16, OCTOBER 30, AND NOVEMBER 2, 2020 AND NECESSARY PAYMENTS THROUGH NOVEMBER 2, 2020

**Motion/Second: Dr. Lieberman / Mr. Olbert**

The Motion carried by Unanimous Roll Call Vote

**ITEM 8A**

**CONSIDERATION OF MOTION APPROVING RESCU GRAVITY PIPELINE PROJECT (CIP 6008) CONTRACT CHANGE ORDER FOR MUCK DISPOSAL**

Proposed Action:

Move approval of CONTRACT CHANGE ORDER FOR THE GRAVITY PIPELINE PROJECT (CIP #6008) IN THE AMOUNT NOT TO EXCEED \$6,136,406 – BARNARD BESSAC JOINT VENTURE

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

The Motion carried by Unanimous Roll Call Vote

**ITEM 8B**

CONSIDERATION OF RESOLUTION AUTHORIZING EXECUTION AND DELIVERY OF CONSTRUCTION INSTALLMENT SALE AGREEMENT LOAN WITH THE STATE WATER RESOURCES CONTROL BOARD RELATED TO SVCW CAPITAL IMPROVEMENT PROGRAM

Proposed Action:

Move adoption of RESOLUTION OF THE COMMISSION OF SILICON VALLEY CLEAN WATER AUTHORIZING THE EXECUTION AND DELIVERY OF THE CONSTRUCTION INSTALLMENT SALE AGREEMENT BETWEEN SILICON VALLEY CLEAN WATER AND THE STATE WATER RESOURCES CONTROL BOARD RELATING TO THE CAPITAL IMPROVEMENT PROGRAM AND APPROVING OTHER MATTERS IN CONNECTION THEREWITH

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

The Motion carried by Unanimous Roll Call Vote

**ITEM 8C**

CONSIDERATION OF RESOLUTION AUTHORIZING SILICON VALLEY CLEAN WATER TO ISSUE DEBT IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$160 MILLION AND TO APPROVE RELATED FINANCING DOCUMENTS AND ALL ACTIONS NEEDED TO CLOSE THE BOND ISSUE

Proposed Action:

Move adoption of RESOLUTION OF THE COMMISSION OF SILICON VALLEY CLEAN WATER AUTHORIZING THE ISSUANCE AND SALE OF 2021 WASTEWATER REVENUE BONDS TO REFUND OUTSTANDING 2014 AND 2015 SERIES BONDS AND SRF CONTROL BUILDING LOAN APPROVING RELATED FINANCING DOCUMENTS AND OFFICIAL ACTIONS

**Motion/Second: Mr. Olbert / Dr. Lieberman**

The Motion carried by Unanimous Roll Call Vote

**ITEM 8D**

CONSIDERATION OF RESOLUTION APPROVING VARIOUS AMENDMENTS TO SVCW BYLAWS

Proposed Action:

Move adoption of RESOLUTION APPROVING AMENDMENTS TO THE BYLAWS OF SILICON VALLEY CLEAN WATER AND ADOPTING AMENDED AND RESTATED BYLAWS OF SILICON VALLEY CLEAN WATER ( $\frac{3}{4}$  weighted vote count required)

**Motion/Second: Dr. Lieberman / Mr. Olbert**

Motion was made and seconded to approve the amendments as proposed in the tracked changes version provided with the agenda, with the exception to keep the month of officer elections/appointment as currently provided in the Bylaws.

The Motion carried by Unanimous Roll Call Vote

**ITEM 9**

**CLOSED SESSION**

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov't. Code §54956.9(d)(1))  
Re: *Daniel Child v. Silicon Valley Clean Water* (San Mateo County SC No. 20-CIV-01384)

Closed Session was called to order at 9:15 a.m.

**ITEM 10**

**RECONVENE IN OPEN SESSION**

Open Session reconvened at 9:29 a.m.

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

**ITEM 11**

**ADJOURN**

There being no further business, the meeting adjourned at 9:30 a.m.

Minutes prepared by Teresa A. Herrera  
Reviewed by General Counsel

DocuSigned by:

*Warren Lieberman*

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Warren Lieberman, Secretary