

**MINUTES OF SILICON VALLEY CLEAN WATER
REGULAR MEETING – September 9, 2024
8:00 a.m.**

Place: Silicon Valley Clean Water
1406 Radio Road
Redwood City, California

Members of the public and SVCW staff and consultants were also able to observe and participate remotely per instructions provided in the agenda.

ITEM 1

CALL TO ORDER

The meeting was called to order at 8:02 a.m.

ITEM 2

ROLL CALL - Commissioners Duly Appointed by Each Agency

Board Member George Otte, West Bay Sanitary District– Chair
Council Member Davina Hurt, Belmont – Vice-Chair
Council Member Alicia Aguirre, Redwood City – Secretary
Council Member Ron Collins, San Carlos – Member

Under the just cause exception of the Brown Act (2449), Commissioner Aguirre appeared remotely due to medical circumstances. The Commission approved the request by a unanimous vote.

Staff, Consultants and Visitors Present

Teresa A. Herrera, SVCW Manager
Christine C. Fitzgerald, SVCW Legal Counsel
Matt Anderson, SVCW Chief Financial Officer/Assistant Manager
Kim Hackett, SVCW Authority Engineer
Jennifer Flick, SVCW Human Resources Director
Jessica Mangual, SVCW Secretary Pro Tem
Daniel Buenrostro, Operations Director
Jane Kao, SVCW Senior Engineer
Kiki Newberry, SVCW Financial Analyst
Mark Minkowski, Kennedy Jenks
Bill Tanner, Tanner Pacific
Demi Pacifuentes, Tanner Pacific
Fion Lui, Redwood City
Sergio Ramirez, West Bay Sanitary District
Rion Merlo, Hazen & Sawyer

ITEM 3

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited by those in attendance

ITEM 4

PUBLIC COMMENT

There were no Public Comments

ITEM 5

SAFETY MOMENT AND REPORTS

Instructions for enabling live captioning and providing public comment remotely during the meeting were provided.

Item 5A Safety Moment included tips on back-to-school safety.

Item 5B Manager's Report, the Manager presented photos and description of bypass operations at the Redwood City Pump Station

For other written reports contained within the agenda packet, there were no questions or comments.

ITEM 6

MATTERS OF COMMISSION MEMBER'S INTEREST

There was no discussion

ITEM 7

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

- A. APPROVAL OF MINUTES – July 15, 2024 - Special Meeting (pg. 39)

- B. CONSIDERATION OF MOTION APPROVING CLAIMS AND CHECKS DATED JUNE 25 – AUGUST 5, 2024, AND NECESSARY PAYMENTS THROUGH AUGUST 5, 2024 (pg. 44)

- C. CONSIDERATION OF RESOLUTION ASSIGNING PERFORMANCE MANAGEMENT SERVICES AGREEMENT WITH ENEL X NORTH AMERICA, INC. TO ENEL X STORAGE LLC (pg. 46)

Proposed Action:

Move adoption of RESOLUTION CONSENTING TO ASSIGNMENT OF PERFORMANCE MANAGEMENT SERVICES AGREEMENT WITH ENEL X NORTH AMERICA, INC. TO ENEL X STORAGE LLC.

- D. CONSIDERATION OF RESOLUTIONS REVIEWING AND REVISING SILICON VALLEY CLEAN WATER COMMISSION POLICY 1989-03, TEMPORARY UPGRADE PAY, SVCW COMMISSION POLICY 1992-01, INVESTMENT POLICY AND GUIDELINES, AND SVCW COMMISSION POLICY 2017-01, STATEMENT OF DEBT MANAGEMENT POLICY (pg. 48)

Proposed Actions:

- i. Move adoption of RESOLUTION APPROVING AND ADOPTING REVISION B TO COMMISSION POLICY NO. 1989-03, OUT OF CLASSIFICATION PAY
- ii. Move adoption of RESOLUTION APPROVING AND ADOPTING REVISION W TO COMMISSION POLICY 1992-01, SILICON VALLEY CLEAN WATER'S INVESTMENT POLICY AND GUIDELINES
- iii. Move adoption of RESOLUTION APPROVING AND ADOPTING REVISION G TO COMMISSION POLICY 2017-01, STATEMENT OF DEBT MANAGEMENT POLICY

- E. CONSIDERATION OF RESOLUTION APPROVING APPLICATION FOR GRANT FUNDING THROUGH THE CALIFORNIA ENERGY COMMISSION, "CLEAN, DISPATCHABLE ENERGY GENERATION" IN COLLABORATION WITH STANFORD UNIVERSITY AND FLOWS ENERGY (pg. 108)

Proposed Action:

Move adoption of RESOLUTION APPROVING AND AUTHORIZING SUBMITTAL OF AN APPLICATION TO CALIFORNIA ENERGY COMMISSION FOR A "CLEAN, DISPATCHABLE ENERGY GENERATION" GRANT

- F. CONSIDERATION OF RESOLUTION AMENDING WATER INFRASTRUCTURE FINANCE AND INNOVATION ACT (WIFIA) LOAN AGREEMENTS TO CLARIFY DEFINITION OF DEBT SERVICE RESERVE (pg. 111)

Proposed Action:

Move adoption of RESOLUTION APPROVING AND ADOPTING AMENDMENTS TO WIFIA LOANS AND ALL ASSOCIATED DOCUMENTS

- G. CONSIDERATION OF MOTION DIRECTING SILICON VALLEY CLEAN WATER STAFF TO PROVIDE RESPONSE LETTER TO THE SAN MATEO GRAND JURY FINDINGS AND RECOMMENDATIONS RELATED TO INTERNAL CONTROLS

Proposed Action:

Move approval of RESPONSE TO SAN MATEO GRAND JURY REPORT TITLED: "ASSESSING AND REPORTING INTERNAL CONTROLS IN SAN MATEO COUNTY AGENCIES AND SCHOOL DISTRICTS" ISSUED ON JUNE 27, 2024, AND AUTHORIZE MANAGER TO EXECUTE RESPONSE LETTER ON BEHALF OF THE SVCW COMMISSION

- H. CONSIDERATION OF MOTION AUTHORIZING HOST SITE AND CHEMICAL PURCHASE AGREEMENTS FOR RUSHNU INC. HYPOCHLORITE PRODUCTION SYSTEM (pg. 120)

Proposed Action:

Move approval for MANAGER TO EXECUTE A HOST SITE AGREEMENT AND CHEMICAL PURCHASE AGREEMENT WITH RUSHNU, INC

- I. CONSIDERATION OF MOTION APPROVING DESIGN SERVICES TASK ORDER WITH KENNEDY/JENKS CONSULTANTS FOR DIGESTER NO. 3 REHABILITATION PROJECT (CIP #9244) (pg. 123)

Proposed Action:

Move approval of a TASK ORDER SCOPE AND BUDGET FOR DESIGN AND BID PERIOD SERVICES FOR THE DIGESTER NO. 3 REHABILITATION PROJECT (CIP #9244) IN AN AMOUNT NOT-TO-EXCEED \$255,257 AND AUTHORIZE MANAGER TO APPROVE UP TO TEN PERCENT CONTINGENCY FOR ADDITIONAL WORK ON AN AS-NEEDED BASIS - KENNEDY/JENKS CONSULTANTS

- J. CONSIDERATION OF RESOLUTION ASSIGNING INVESTMENT ADVISORY SERVICES AGREEMENT WITH PFM ASSET MANAGEMENT LLC (PFMAM) TO U.S. BANCORP ASSET MANAGEMENT, INC. (USBAM) (pg. 126)

Proposed Action:

Move adoption of RESOLUTION CONSENTING TO ASSIGNMENT OF INVESTMENT ADVISORY SERVICES AGREEMENT WITH PFM ASSET MANAGEMENT, LLC TO U.S. BANCORP ASSET MANAGEMENT, INC.

Motion/Second: Ms. Hurt / Mr. Collins

The Motion carried by Unanimous Vote

ITEM 8A

PUBLIC HEARING - CONSIDERATION OF RESOLUTION APPROVING ENERGY SERVICES AGREEMENT WITH ECOGREEN FOR ENERGY SERVICES AT WWTP. THE PROJECT AND ASSOCIATED ON-BILL FINANCING ARE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15061 "COMMON SENSE EXEMPTION" BECAUSE IT CAN BE SEEN WITH CERTAINTY THAT THEY WILL NOT CAUSE A SIGNIFICANT EFFECT ON THE ENVIRONMENT, AND THE PROJECT CONSISTS OF MINOR ALTERATION TO EXISTING LIGHTING IN SVCW-OWNED FACILITIES PURSUANT TO CEQA GUIDELINES SECTION 15301 "EXISTING FACILITIES". (pg. 128)

Proposed Actions:

- Opened Public Hearing at 8:28 am
- Closed Public Hearing 8:29 am

Motion/Second: Mr. Collins / Ms. Hurt

The Motion to Close the Public Hearing carried by Unanimous Vote

Move adoption of RESOLUTION OF THE COMMISSION OF SILICON VALLEY CLEAN ADOPTING REQUIRED FINDINGS PURSUANT TO GOVERNMENT CODE SECTION 4217, APPROVING ENERGY SERVICES CONTRACT WITH ECOGREEN, AND AUTHORIZING ASSOCIATED PG&E ON-BILL LOAN FINANCING

Motion/Second: Mr. Collins / Ms. Hurt

The Motion carried by Unanimous Vote

ITEM 8B

CONSIDERATION OF RESOLUTION AND MOTION APPROVING MASTER SERVICES AGREEMENT AND TASK ORDER FOR PLANNING SERVICES FOR THE STRATEGIC TREATMENT ADVANCEMENT ROADMAP PROJECT AND APPROVE TASK ORDER FOR NUTRIENT PROGRAM MANAGEMENT SERVICES (CIP #9402)

Proposed Actions:

- i. Move adoption of RESOLUTION APPROVING MASTER SERVICES AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES AND TASK ORDER SCOPE AND BUDGET FOR PLANNING SERVICES RELATED TO THE STRATEGIC TREATMENT ADVANCEMENT ROADMAP PROJECT (CIP #9402); IN AN AMOUNT NOT TO EXCEED \$1,159,955 AND AUTHORIZE MANAGER TO APPROVE UP TO TEN PERCENT CONTINGENCY FOR ADDITIONAL WORK ON AN AS-NEEDED BASIS – HAZEN AND SAWYER
- ii. Move approval of TASK ORDER SCOPE AND BUDGET FOR NUTRIENT PROGRAM ADVISORY SUPPORT SERVICES RELATED TO THE STRATEGIC TREATMENT ADVANCEMENT ROADMAP PROJECT (CIP #9402) IN AN AMOUNT NOT TO EXCEED \$247,407 AND AUTHORIZE MANAGER TO APPROVE UP TO TEN PERCENT CONTINGENCY FOR ADDITIONAL WORK ON AN AS-NEEDED BASIS – KENNEDY/JENKS CONSULTANTS

Motion/Second: Ms. Hurt / Mr. Collins

The Motion carried by Unanimous Vote

ITEM 9

CLOSED SESSION – None

ITEM 10

RECONVENE IN OPEN SESSION – None

ITEM 11

ADJOURN

There being no further business, the meeting adjourned at 8:50 am

Minutes prepared by Teresa A. Herrera
Reviewed by General Counsel

Alicia Aguirre

Alicia Aguirre, Secretary