

**MINUTES OF THE  
SAN JOSÉ/SANTA CLARA  
TREATMENT PLANT ADVISORY COMMITTEE**

San José City Hall  
Thursday, May 15, 2025, at 4:00 p.m.

**1. ROLL CALL**

The Treatment Plant Advisory Committee Meeting convened at 4:00 p.m. Roll call was taken with the following members in attendance.

**Committee Members:** David Cohen, David Doyle\*, Dan Furtado, Karen Hardy, Carmen Montano, and Manuel Pineda.

\*Alternate for Patrick Kwok

**Committee Member Domingo Candelas joined the meeting in progress at 4:09 p.m. and was not present at the time of roll call.**

**Ayes – 6** (Cohen, Doyle, Furtado, Hardy, Montano, Pineda)

**Nays - 0**

**Abstain – 0**

**Absent – 3** (Candelas, Gonzalez, Mulcahy)

**2. APPROVAL OF MINUTES**

**A. April 10, 2025**

Committee Member Dan Furtado (Furtado) suggested that future minutes contain more detail about the nature of comments from Committee Members and staff.

Chair Karen Hardy (Hardy) made a comment informing committee members that if a Committee Member has read the draft minutes, they may vote on them, even if they did not attend the meeting in question.

**Action: On a motion made by Vice Chair David Cohen and a second by Committee Member Carmen Montano, TPAC recommended approval of the Minutes:**

**Ayes - 5** (Cohen, Doyle, Furtado, Hardy, Montano)

**Nays - 0**

**Abstain – 1** (Pineda)

**Absent – 3** (Candelas, Gonzalez, Mulcahy)

**Committee Member Domingo Candelas joined the meeting in progress at 4:09 p.m. and was not present at the time of the approval of the minutes.**

**3. UNEFINISHED BUSINESS/REQUEST FOR DEFERRALS**

There was no unfinished business.

**4. DIRECTOR'S REPORT**

**A. Director's Report (verbal)**

Jeff Provenzano (Provenzano), ESD Director, introduced a new Committee Member, Manuel Pineda, Deputy City Manager.

*CIP External Quarterly Report*

Provenzano informed the committee that the CIP External Quarterly Report was available to them in their packets, and that staff was available to answer any questions regarding this report both during and after the meeting.

Hardy commented that she has requested, at a later meeting, to provide a wastewater treatment plant process flow chart.

There were no comments from the public.

**5. AGREEMENTS/ACTION ITEMS**

**A. Proposed 2025-2026 Operating & Maintenance Budget for RWF**

**Staff Recommendation:**

TPAC approval of the San José-Santa Clara Regional Wastewater Facility Proposed 2025-2026 Operating & Maintenance Budget.

**The San José-Santa Clara Regional Wastewater Facility Proposed 2025-2026 Operating & Maintenance Budget is scheduled for Council consideration on June 10, 2025, and adoption on June 17, 2025.**

There was a presentation by Bryan Berdeen (Berdeen), Chief Plant Operator of the RWF.

Hardy asked when the opening of dewatering would be official. Berdeen answered that the dewatering facility would be fully operational by the end of the calendar year.

Hardy asked if the budget estimate was a high, RWF General Manager Mariana Chavez-Vazquez (Chavez-Vazquez) replied that it is a conservative estimate, and that they will have a more established budget once the project has started.

Hardy asked if the cost shown for each tributary agency was for a half a year or a full year. Chavez-Vazquez confirmed that it was for a full year.

Committee Member Carmen Montano (Montano) asked what will happen in the event of a surplus. RWF General Manager Chavez-Vazquez confirmed that any balance will be returned to the tributary agencies at the end of each year.

David Doyle (Doyle) (alternate of Committee Member Patrick Kwok) asked for clarification on the definition of "Personnel Services". Berdeen confirmed that the figure includes the entire headcount noted in the presentation. Chavez-Vazquez also gave additional clarification on how the budget is determined when non-filled positions are accounted.

Doyle asked for clarification on the definition of "non-personnel Services". Berdeen clarified that that figure includes electricity, chemicals, heavy equipment, and other items listed in the presentation.

Hardy asked for clarification about the energy cost. Chavez-Vazquez clarified that most of the RWF's expenses go towards energy. Berdeen also clarified that the RWF is unable to increase self-generation under the existing conditions and will need to purchase energy for the dewatering facility at this time.

Hardy asked how much energy the RWF currently generates. Berdeen confirmed that at this time the RWF produces 80% of its required energy, not including energy demands for dewatering.

Hardy asked about additional sources of energy. Chavez-Vazquez confirmed that the RWF is looking for additional energy sources, such as Fats Oils and Grease (FOG) and that option is included in the Proposed CIP to be discussed later in the meeting.

Furtado asked about estimated electricity usage once the dewatering facility is fully operational. Chavez-Vazquez responded that the RWF does have an estimate and will have a more accurate estimation once operation has begun.

Hardy made a comment informing the committee that the dewatering facility was originally planned as a response to changes in state law. Chavez-Vazquez confirmed this and added that the dewatering facility has been in the plans as part of the Plant Master Plan for many years.

Furtado asked if the City of San José will true up the overhead costs to correspond to the actual cost. ESD Principal Accountant Laura Burke responded that yes, the city will true it up as needed.

Furtado commented that he will be voting "Nay" on this item and noted that his tributary agency is open to discussing elements of the Master Agreement.

Vice Chair Cohen (Cohen) asked if the RWF is purchasing energy from San José Clean Energy. Chavez-Vazquez confirmed Cohen's comment.

Cohen asked how much the actual expenses in past years differed from the budget. ESD Division Manager Nick Ajluni (Ajluni) answered that, while he did not have the exact figures, the City is expecting significant savings in the Operating budget, and that those funds will be credited back to the tributary agencies.

Cohen asked if there would be any savings from decommissioning the drying beds in the future. Chavez-Vazquez answered that yes, there would be some savings.

Furtado commented that since the budget includes CIP projects, and CIP projects are not authorized to be charged to tributary agencies in the Master Agreement, he will vote "Nay" on this item. Hardy clarified that the Operating and Maintenance Budget and the CIP Budget are two separate items, and that the committee would be voting on them separately.

There were no comments from the public.

**Action: On a motion made by Committee Member Domingo Candelas and a second by Vice Chair David Cohen, TPAC recommended approval of the item:**

**Ayes – 6 (Candelas, Cohen, Doyle, Hardy, Pineda, Montano)**

**Nays – 1 (Furtado)**

**Abstain – 0**

**Absent – 2 (Gonzalez, Mulcahy)**

**B. Proposed 2026-2030 CIP for RWF**

**Staff Recommendation:**

TPAC approval of the San José-Santa Clara Regional Wastewater Facility Proposed Five Year 2026-2030 Capital Improvement Program.

**The San José-Santa Clara Regional Wastewater Facility Proposed Five-Year 2026-2030 Capital Improvement Program is scheduled for Council consideration on June 10, 2025, and adoption on June 17, 2025.**

There was a presentation by ESD Deputy Director Kapil Verma (Verma).

Doyle (alternate of Committee Member Patrick Kwok) asked if the RWF CIP's engineering costs are typically 10% of actual project costs. Verma mentioned that the number that was identified in the presentation was for program management and preliminary engineering costs. Chavez-Vazquez mentioned that there are several additional costs that are included in project delivery and that the engineering component is about 10%.

Hardy asked if the RWF tries to keep the costs down. Chavez-Vazquez confirmed that the RWF does try to keep costs down, despite the scale of the projects.

Furtado asked whether all projects over \$2,000,000 will be allocated using the parameter specific methodology, as opposed to the rolling weighted average. ESD Principal Accountant Laura Burke confirmed and noted that the city analyzes each project cost and shares the information with the tributary agencies each year in March.

Furtado made a comment that, as CIP projects are not authorized under the Master Agreement to be allocated to tributary agencies, he will vote “Nay” on this item.

Hardy commented that it appears that the budget increased \$15,000,000 and decreased about \$46,000,000.

Montano commented that the dewatering facility will help the City of Milpitas with odor problems.

There were no comments from the public.

**Action: On a motion made by Vice Chair David Cohen and a second by Committee Member Domingo Candelas, TPAC recommended approval of the item:**

**Ayes – 5 (Candelas, Cohen, Hardy, Pineda, Montano)**

**Nays – 2 (Doyle, Furtado)**

**Abstain – 0**

**Absent – 2 (Gonzalez, Mulcahy)**

**C. Option Agreement for Amendment to Ground Lease and Property Use Agreement Between the City of San José (‘City’) and Santa Clara Valley Water District (‘Valley Water’)**

**Staff Recommendation:**

Adopt resolutions:

(a) Declaring the City-owned property located on the east side of Zanker Road, north of State Route 237 in San José, consisting of 1 parcel of land totaling approximately 2 acres, further identified as Assessor’s Parcel Number 015-31-063 as “exempt surplus land” pursuant to California Government Code § 54221(f)(1)(D) and in accordance with San José Municipal Code § 4.20.080(B)(2) as a transfer of surplus property to another local, state, or federal agency for that agency’s use; and

(b) Authorizing the City Manager or her designee to:

(1) Negotiate and execute the Option Agreement for First Amendment to Ground Lease and Property Use Agreement; and

(2) Negotiate and execute the First Amended Ground Lease and Property Use Agreement for the Advanced Water Treatment Facility between City of San José, City of Santa Clara and the Santa Clara Valley Water District, and the First Amended Recycled Water Facilities and Programs Integration Agreement, and the Amended and Restated Agreement for Operation and Maintenance of the Silicon Valley Advanced Water Purification Center between the City of San José and the Santa Clara Valley Water District, upon satisfaction of the conditions to exercise the option including the completion and approval of environmental review for the proposed direct potable reuse demonstration facility in compliance with California Environmental Quality Act.

**This item is scheduled to be heard at City Council on June 10, 2025.**

ESD Deputy Director Eric Dunlavey (Dunlavey) verbally provided a summary of the scope of the project since there was no official presentation.

Hardy asked a clarifying question about expansion of parking and road improvements. Dunlavey confirmed that both are included in this project.

Hardy commented that she is glad to see Valley Water expanding this area.

Vice Chair David Cohen (Cohen) asked a clarifying question regarding the location of the expansion on the map. Dunlavey and Provenzano provided clarification.

Hardy commented that the learning facility is necessary because many people already do not want to drink their tap water, and that the public needs to be educated on potable reuse water to be willing to drink it.

Furtado commented that his district would like to have fair market credit for this lease project and noted that he will vote “Nay” if San José and Santa Clara do not provide an agreement for fair market credit. Hardy asked to clarify that this item is an extension of an already existing lease. Provenzano confirmed that the item presented is an extension to the existing lease to add a demonstration facility that will contribute supply to South Bay Water Recycling. He clarified that any future project that includes a full scale expanded facility will produce water that would be considered water supply, and would then be unrelated to the wastewater treatment plant. Provenzano also stated that the intention is to provide fair market credit for the expansion lease and that the city will continue to update TPAC.

Montano asked if the infrastructure is included in the cost. Provenzano confirmed that the project is fully funded by Valley Water. Montano asked if cities or tributary agencies will have to pay for the facility with wastewater funds. Provenzano answered no, cost is funded by water rates from Valley Water.

There were no comments from the public.

**Action: On a motion made by Vice Chair David Cohen and a second by Committee Member Domingo Candelas, TPAC recommended approval of the item:**

**Ayes – 6 (Candelas, Cohen, Doyle, Hardy, Pineda, Montano)**

**Nays - 0**

**Abstain – 1 (Furtado)**

**Absent – 2 (Gonzalez, Mulcahy)**

**D. Master Service Agreement with Environmental Science Associates for Environmental Consulting Services for Various City Projects**

**Staff Recommendation:**

Approve a master agreement with Environmental Science Associates from the date of execution through June 30, 2028, in an amount not to exceed \$1,000,000 for environmental review and permitting services for the Environmental Services Department and San José Santa Clara Regional Wastewater Facility projects and programs.

**This item is scheduled to be heard at City Council on May 20, 2025.**

Furtado asked if the entire contract is dedicated solely to the RWF. Chavez-Vazquez clarified that the amount is a placeholder to support any projects from City of San José Environmental Services Department, potentially including RWF projects if necessary. Furtado commented that he would be voting “Nay” on this item.

There were no comments from the public.

**Action: On a motion made by Committee Member Domingo Candelas and a second by Committee Member Manuel Pineda, TPAC recommended approval of the item:**

**Ayes – 6 (Candelas, Cohen, Doyle, Hardy, Pineda, Montano)**

**Nays – 1 (Furtado)**

**Abstain – 0**

**Absent – 2 (Gonzalez, Mulcahy)**

**6. OTHER BUSINESS/CORRESPONDENCE**

There was no other business or correspondence.

**7. STATUS OF ITEMS PREVIOUSLY RECOMMENDED FOR APPROVAL BY TPAC**

**A. Report on Bids and Award of Construction Contract for 10186 – Yard Piping Improvements Phase 3 Project at the San José-Santa Clara Regional Wastewater Facility**

**Staff Recommendation:**

- (a) Accept the report on bids and award of construction to the lowest responsive, responsible bidder, Michels Trenchless, Inc., in the amount of \$19,490,000, for the 10186 – Yard Piping Improvements Phase 3 Project; and
- (b) Approve a 10% construction contingency in the amount of \$1,949,000.

**This item was approved by City Council on April 15, 2025.**

**B. Amendment to the Master Consultant Agreement with BSI America Professional Services INC.**

**Staff Recommendation:**

Approve the First Amendment to the Master Consultant Agreement with BSI America Professional Services, Inc. for environmental, health, and safety consultant services, increasing the amount of compensation by \$356,000 for a total maximum compensation not to exceed \$606,000.

**This item was approved by City Council on April 15, 2025.**

**C. Actions Related to the Purchase Order with Bay City Boiler and Engineering Company, Incorporated for Boiler Maintenance, Repair, and Installation Services**

**Staff Recommendation:**

Adopt a resolution authorizing the City Manager or her designee to exercise two additional one-year options to extend the term of the purchase order with Bay City Boiler and Engineering Company, Incorporated (Hayward, CA) for boiler maintenance, repair, and installation services with the last option ending on or about February 12, 2028, subject to the appropriation of funds.

**This item was approved by City Council on April 15, 2025.**

**There were no comments from the committee or public on any item in this Section 7.**

**8. REPORTS**

**A. Open Purchase Orders Greater Than \$100,000 (including Service Orders)**

For Procurement and Contract Activity between \$100,000 and \$1.43 Million for Goods and \$100,000 and \$350,000 for Services.

**8. A. Purchase Order Report 4/1/2024-4/30/2025**

There were no comments from the committee or the public on this item.

**9. MISCELLANEOUS**



The next regular TPAC Meeting is scheduled in person on **June 12<sup>th</sup>, 2025, at 4:00 p.m.** at City Hall, Room T1734.

**10. OPEN FORUM**

There were no comments from the committee or the public.

**11. ADJOURNMENT**

The Treatment Plant Advisory Committee meeting was adjourned at 5:00 p.m.

Karen Hardy, Chair  
TREATMENT PLANT ADVISORY COMMITTEE