

SAN JOSÉ / SANTA CLARA WATER POLLUTION CONTROL PLANT

August 14, 2008

TREATMENT PLANT ADVISORY COMMITTEE

The Honorable Mayor and City Council
City of San Jose
200 East Santa Clara Street
San Jose, CA 95113

Dear Mayor Reed and City Council:

At its meeting of August 14, 2008, the Treatment Plant Advisory Committee (TPAC) reviewed the items concerning the Water Pollution Control Plant on the San Jose City Council agenda for August 19, 2008.

These items are listed below along with the TPAC recommendation for San Jose City Council action.

Approval of a Change Order

- 2.4 1. Approval of a change order for the project entitled, "San José/Santa Clara Water Pollution Control Plant Reliability Improvements Project," for a total negotiated amount of \$301,300 with no change to the term of contract with Kiewit Pacific Company.

Approval of a Contingency

- 2.5 2. Approval of a contingency budget increase and contract extension for the project entitled, "San Jose/Santa Clara Water Pollution Control Plant, FY 2007/2008 Capital Improvement Program, East Primary Influent Channel Repair Project," by \$70,000 and contract schedule extension from June 18, 2008 to October 16, 2008, with Anderson Pacific Engineering Construction, Inc.

Adopt a Resolution

- 2.8 3. Adopt a resolution authorizing the City Manager to negotiate and execute amendments to Agreements among the cities of San José, Santa Clara and Milpitas and Cupertino Sanitary District to reflect the transfer of 0.75 million gallons of capacity in the San José/Santa Clara Water Pollution Plant from Cupertino Sanitary District to the City of Milpitas.

Adopt a Resolution

- 2.6 4. Adopt a resolution authorizing the City Manager to negotiate and execute a Grant Agreement with Mansion Grove Apartments in an amount not to exceed \$220,000 for retrofit of recycled water facilities.

Actions Related to Public Art Ordinance Revision

- 2.2 5 (a) City Council adoption of an Ordinance amending Title 22 of the San Jose Municipal Code modifying the basis for calculating the percent for public art in City and Agency Capital Improvement Projects and other changes to implement portions of the Public Art Master Plan approved by City Council on March 13, 2007.
- (b) City Council adoption of an Ordinance amending Section 4.04.020 of Title 4 of the San Jose Municipal Code to increase administrative contract authority for public art contracts, grant agreements and sponsorship agreements to \$250,000.
- (c) Adopt of resolutions by the City Council and Redevelopment Agency Board rescinding City Council Resolution No. 64284 and Redevelopment Agency Board Resolution No. 3606, with the rescission to be effective upon the effective date of the foregoing ordinance.
- (d) Direct the City Manager and Executive Director to return to Council in August for Policy discussion and consideration regarding the Public Art Master Plan's recommended one percent public art allocation on City capital projects funded with development fees and to engage in discussions with the development community before returning to Council.

Authorize the City Manager

- 4.4 6. Authorize the City Manager or her designee to initiate discussion with Tesla Motor's regarding the potential use of a portion of the buffer lands associated with the Water Pollution Control Plant and other privately held sites in San José for a future manufacturing, research and development site.

Sincerely,



Patricia Mahan, Chairperson
Treatment Plant Advisory Committee