



San Francisco  
**Water Power Sewer**

Services of the San Francisco Public Utilities Commission

**SAN FRANCISCO PUBLIC UTILITIES  
COMMISSION**

City and County of San Francisco

**London N. Breed**  
Mayor

**REGULAR MEETING MINUTES**  
**Tuesday, October 11, 2022**  
**1:30 PM**  
**(Approved October 24, 2022)**

1 Dr. Carlton B. Goodlett Place  
City Hall, Room 400  
San Francisco, CA 94102

**Commissioners**

Newsha Ajami, Vice President  
Sophie Maxwell  
Tim Paulson  
Tony Rivera

**Dennis J. Herrera**  
General Manager

**Donna Hood**  
Secretary



1. Call to Order

*Vice President (VP) Ajami called the meeting to order at 1:30 PM.*

2. Roll Call

*Present: Ajami, Maxwell, and Rivera*

*Excused: Paulson*

*The Commission Secretary announced that items 8, 9b, and the Closed Session was removed from the agenda.*

3. Annual Election of Officers: Discussion and possible action to elect a President and Vice President of the Commission, each to serve a one-year term, as per the San Francisco Public Utilities Commission Rules of Order, Rule No. 6.

*VP Ajami stated that a full Commission is expected to be seated by the next meeting and requested a motion to continue the item to that meeting.*

*On motion to continue the item to the next meeting with a full commission.*

*Ayes: Ajami, Maxwell, and Rivera*

4. Adopt renewed findings under State Urgency Legislation to allow hybrid in-person meetings during the COVID-19 Emergency and direct the Commission Secretary to agendize a similar resolution at a Commission Meeting within the next 30 days. ([Resolution 22-0173](#))

Public Comment

- *David Pilpel questioned if public comment should have been taken on the motion to continue Item #3.*

*On Motion to approve item 4:*

*Ayes: Ajami, Maxwell, and Rivera*

5. Approval of the Minutes of September 13, 2022

Public Comment

- *David Pilpel indicated the agenda incorrectly references approval of the minutes of September 13, 2022 not the minutes of September 27, 2022. He asked that the item be continued and re-agendized with the correct date.*

*On Motion to continue approval of the Minutes:*

*Ayes: Ajami, Maxwell, and Rivera*

6. General Public Comment

- *(Inaudible), Save California Salmon, requested that the Commission reevaluate the Design Drought. She discussed the Tuolumne River, the need for unimpaired flows, and algae blooms.*
- *Peter Drekmeier, Policy Director, Tuolumne River Trust, welcomed Commissioner*

*Rivera. He stated Salmon will begin to spawn soon. He asked that environmental metrics be included with reports. He expressed hope for collaboration between the NGO's and the Commission. He discussed the Design Drought.*

- *Barry Nelson, Golden Gate Salmon Association, welcomed Commissioner Rivera. He discussed their membership and noted their work on Bay Delta issues.*
- *John McManus, Golden State Salmon Association, discussed their membership and welcomed Commissioner Rivera. He stated the SFPUC's reservoirs are full, and the rivers and salmon are hurting, and a balanced approach is needed. He asked that the lawsuit be withdrawn.*
- *Jo Coffey discussed Indigenous Peoples Day. She discussed the establishment of water rights and Indigenous Peoples right to water.*
- *Dave Warner discussed the States scientific analysis of 2010 water flow needs. He discussed the Bay Delta Plan and Tuolumne salmon population. He noted his letter of October 7, 2022.*
- *Francisco DaCosta stated the Commission needs to listen to the public comment. He stated water in Hetch Hetchy was stolen from the Indigenous People. He stated the Raker Act should be followed.*
- *Pamela Cotton welcomed Commissioner Rivera. She stated the Tuolumne River is dying and San Francisco is hoarding water.*
- *Nancy Arbuckle stated there is reliable water supply in storage. She stated the Tuolumne and ecosystem are suffering.*
- *(Inaudible) Sierra Club, Bay Chapter, expressed concern with the lack of attention to environmental and tribal issues. She urged the Commission to look at science and to prioritize health of the rivers and salmon.*
- *Cedric (inaudible) thanked the Commission for their service. He stated flows are inadequate for salmon. He discussed the algae blooms, asked that instream flows be increased. He requested that the lawsuit be dropped.*
- *Michael Cross discussed the Bay Delta Plan. He noted the decline of salmon and microorganisms.*
- *Patty (inaudible) noted the difficulty balancing all needs. She stated there is enough water in reserves for the environment and for people.*
- *Heinrich Albert discussed United States Department of Fish and Wildlife's proposal to designate long thin smelt as endangered. He discussed habitat loss and water diversion.*
- *Martin Gothberg expressed concern with the ecological state of the Tuolumne River and the Bay Delta. He discussed the Design Drought. He asked that the lawsuit be dropped.*
- *Ronnie Fisher, Santa Clara Audubon Society, discussed alternative water supplies. She discussed water waste in her apartment complex, and rainwater capture.*
- *John Rosapepe stated that science should be followed. He urged the Commission to withdraw from the lawsuit.*
- *Kristina Pappas, President, San Francisco League of Conservation Voters, stated the Commission is not representing the environmental values of San Francisco. She discussed the Design Drought, and algae blooms. She asked for investment in water recycling.*
- *Mary Butterwick discussed instream flows on the Tuolumne River and the decline in*

*salmon population. She asked that the lawsuit be dropped and that the Design Drought be modified.*

- *Eileen Boken welcomed Commissioner Rivera. She discussed San Francisco's groundwater basins and questioned if groundwater mapping has occurred. She discussed sea level rise.*
- *Cindy Charles discussed the water bill drought surcharge. She discussed her correspondence and video sent to the Commission regarding watering at Hetch Hetchy administrative facilities and posed questions about that use.*
- *Margaret McNiven stated water should be released from storage to benefit the salmon.*
- *Mark Gonzales discussed the Voluntary Agreement and Tuolumne River flows.*
- *Molly Colton, Sierra Club California, echoed comments provided by previous callers. She asked that the Commission take a science-based approach to issues. She discussed the Voluntary Agreement. She asked that the lawsuit be dropped.*
- *Bill Martin discussed a memo by FISHBIO on non-native fish. He stated over-diversion of water creates a habitat for non-native fish.*
- *Nina Atkins, Surfrider Foundation, discussed the San Francisco estuary and the wastewater nutrients that are released which result in algae blooms. She stated there should be investment in wastewater recycling.*
- *Karen Harwell expressed concern with the Bay Delta and Tuolumne River ecosystems.*

## 7. Communications

- Advance Calendar
- Contract Advertisement Report
- Correspondence Log
- Franchise Compliance Report for Audit Period CY 2019-2020
- CleanPowerSF Quarterly Report
- Quarterly Report on the Contracts Awarded by the General Manager Pursuant to Delegated Authority

### Public Comment

- *David Pilpel questioned why the memo provided under item 7d wasn't provided earlier. He expressed thanks to staff for the comprehensive report under item 7e. He noted a principal contractor listed under item 7f is a member of the San Francisco Community College District Board of Trustees and asked if there are any concerns with that association.*

*The Commission Secretary re-announced that items 8, 9b and the Closed Session, were removed from the agenda.*

## 8. Annual Citizens' Advisory Committee Update

## 9. Report of the General Manager

### a) Drought Conditions Update

*Steve Ritchie, Assistant General Manager (AGM) Water Enterprise, reviewed (1) October 3, 2022 Reservoir Storage: Water Bank at 99.7% of maximum storage;*

(2) Other California Reservoirs: Shasta, Oroville and Don Pedro Reservoirs are at 33%, 35%, and 52% of capacity, respectively; (3) California Drought Monitor: Depending on location the status is in severe, extreme, or exceptional drought; (4) Hetch Hetchy Precipitation Water Year (WY) 2022: He indicated we are past the end of the Water Year. The current water year is below median with a little uptick at from the last storm; (5) Upcountry 6-Station Precipitation Index (as of September 30, 2022): Year-to-date (YTD) total 25.55 inches; (6) Bay Area 7-Station Precipitation Index (as of September 30, 2022): YTD total 24.10 inches; (7) Upcountry Snowpack WY 2022; (8) National Precipitation Forecast; (9) Total Deliveries; and (10) Drought Tracker: July 1, 2022 to September 29, 2022 San Francisco had a 13.2% reduction and Wholesale Customers had a 9.1% reduction.

In response to a question from VP Ajami as to how much savings can be accomplished, and if forecasting or analysis has been conducted, AGM Ritchie indicated a meeting will be scheduled with BAWSCA to discuss implementation measures as opposed to percentage targeted reductions. Discussion ensued.

VP Ajami expressed concern with wastewater capacity and the cost of wastewater treatment with the changing water use. AGM Ritchie concurred and provided brief response.

#### Public Comment

- Peter Drekmeier, Tuolumne River Trust, stated the Reservoir Storage slide is missing “total system storage” information. He stated there is plenty of water in storage for four years. He discussed unimpaired flow.
- David Pilpel discussed the “Drought Tracker” slide and noted that everyone is using less water during the drought. He stated water in storage is good.
- Francisco DaCosta discussed water storage. He indicated a needs assessment should be conducted.
- Nicole Sandkulla, BAWSCA CEO, welcomed Commissioner Rivera. She thanked AGM Ritchie for his work on reaching conservation targets. She noted the SFPUC has a broad and diverse service area.

b) Upper Islais Creek Watershed Approach

c) CleanPowerSF (CPSF) Integrated Resource Plan (IRP) Modeling Results  
Cheryl Taylor, CPSF Operations Manager, thanked staff who assisted with the preparation of the report. She indicated that results have been placed on the CleanPowerSF webpage. She stated the IRP is an energy planning tool used to support achieving policy goals and meeting regulatory requirements and every two years, by State law, CleanPowerSF is required to submit an IRP which evaluates electricity supply and demand and identifies energy resource options that can deliver reliable and cost-effective energy to customers. The IRP is due November 1, 2022.

Manager Taylor reviewed two IRP portfolios: (1) Conforming Portfolio: uses

inputs and assumptions provide by the California Public Utilities Commission (CPUC); accounts for statewide goals and targets; and has minimal flexibility to incorporate local electrification goals and targets; and (2) Alternative Portfolio: uses inputs and assumptions determined by CPSF; accounts for local goals and targets (transportation electrification, and building decarbonization); and provides flexibility to incorporate community preferences. She stated that staff will return to the Commission to request approval of the Conforming Portfolio.

She reviewed four CPSF IRP modeling portfolios: (1) Base Case: CPSF Goals by 2025; (2) CPSF Goals and Time Coincidence by 2030; (3) CPSF Goals and Mayors EV and Building Decarbonization Targets; (4) CPSF Goals and Local Resource Procurement. She discussed local investment and indicated all portfolios include 85.6 MW of local solar, 150 MW of local battery storage, and 50MW of local geothermal, representing \$600-\$700 million commitment to local projects.

Ms. Taylor provided initial results: Comparison of Conforming Portfolios: (1) Total portfolio capacity by technology (2035); (2) Energy generated by Resource type (2035); and (3) Average portfolio costs (2023-2035).

Ms. Taylor provided initial results (Alternative Portfolios): Mayor's EV and Building Decarbonization Targets Met Portfolio: (1) Load Assumptions; and (2) New Resource Capacity Build (2022-2035); and Local Resource Procurement Portfolio (1) Local Resource Assumptions; (2) Portfolio content; and (3) Annual Portfolio Costs.

Manager Taylor stated the written comment period will close on Friday, October 14 at 5 PM. Staff will return to the Commission on October 25 to seek approval and adoption of a Preferred Confirming Portfolio for submission of the IRP Compliance filing on November 1.

Manager Taylor responded to a question from Commissioner Maxwell as to what "Time Coincident" means, stating that for every hour of electricity used by the customer, the SFPUC would supply an amount of renewable energy during that hour, in real-time. Mike Hyams, Assistant AGM CleanPowerSF, provided additional clarification. Related discussion ensued.

Commissioner Rivera thanked Manager Taylor and staff for the report. Manager Taylor responded to his question regarding alternative power sources, including geothermal energy.

#### Public Comment

- David Pilpel stated he would provide comments and direct questions to Ms. Taylor directly. He congratulated staff for their work.

#### d) Report on Recent San Francisco Public Utilities Commission Activities, Events and Announcements

None.

10. New Commission Business

None.

11. CONSENT CALENDAR

- a) Approve the plans and specifications and award Contract No. WD-2847, 8- and 16-Inch Ductile Iron Water Main Replacement on Laidley Street from Castro to Harper Streets and on Bemis, Miguel, & Various Side Streets, in the amount of \$9,258,368, and with a duration of 629 consecutive calendar days, to the responsible bidder that submitted the lowest responsive bid, A. Ruiz Construction Company & Assoc., Inc. This action constitutes the Approval Action for the Project for the purposes of the California Environmental Quality Act (CEQA) pursuant to Section 31.04(h) of the San Francisco Administrative Code. The Planning Department has determined that this action is exempt from the CEQA. If the item is approved, the Commission will rely on that determination to make its decision. ([Resolution 22-0174](#))
- b) Approve the plans and specifications and award Contract No. WW-709R, Various Locations Sewer Replacement No. 13, in the amount of \$9,872,303, and with a duration of 460 consecutive calendar days, to the responsible bidder that submitted the lowest responsive bid, M. Hernandez Construction, Inc., (dba) Hernandez Engineering, to replace/rehabilitate existing sewers on specific streets within the City and County of San Francisco. This action constitutes the Approval Action for the Project for the purposes of the California Environmental Quality Act (CEQA) pursuant to Section 31.04(h) of the San Francisco Administrative Code. The Planning Department has determined that this action is exempt from the CEQA. If the item is approved, the Commission will rely on that determination to make its decision. ([Resolution 22-0175](#))

Public Comment

- *David Pilpel discussed the “background” section of agenda items and indicated there needs to be more consistency and that additional background information should be provided.*

*On Motion to approve the Consent Calendar:*

*Ayes: Ajami, Maxwell, and Rivera*

*The Commission Secretary re-announced that item 14 was removed from the Calendar and there would be no closed session.*

12. Public comment on the matter to be addressed during Closed Session.
13. Motion on whether to assert the attorney-client privilege regarding the matter listed below as Conference with Legal Counsel.

14. CONFERENCE WITH LEGAL COUNSEL – Pursuant to California Government Code, Section 54956.9(d)(1), and San Francisco Administrative Code, Section 67.10(d)(1)  
Unlitigated Claim  
San Francisco Bay Regional Water Quality Control Board v. City and County of San Francisco. [City Attorney File No.: 2020268]  
Potential amendment to approved settlement of unlitigated claim between City and San Francisco Bay Regional Water Quality Control Board that would substitute the Upper Islais Creek Alemany Corridor Flood Resiliency Watershed Alternative for the planned Lower Alemany Area Stormwater Improvement Project.
15. Announcement following Closed Session.
16. Motion regarding whether to disclose the discussions during Closed Session pursuant to San Francisco Administrative Code Section 67.12(a).
17. Adjournment  
*Vice President Ajami adjourned the meeting at 3:37 PM.*