

SAN FRANCISCO PUBLIC UTILITIES COMMISSION
City and County of San Francisco

Mark Farrell
Mayor

AGENDA
Tuesday, June 12, 2018

1:30 P.M.
1 Dr. Carlton B. Goodlett Place
City Hall, Room 400
San Francisco, CA 94102

Commissioners
Ike Kwon, President
Vince Courtney, Vice President
Ann Moller Caen
Francesca Vietor
Anson Moran

Harlan L. Kelly, Jr.
General Manager

Donna Hood
Secretary



For information, contact the Commission Secretary at 415-554-3165
Minutes and other information are available on the SFPUC web site:

www.sfwater.org

Gavel-to-Gavel coverage available at:

http://sanfrancisco.granicus.com/ViewPublisher.php?view_id=22

Accessible Meeting Policy: The San Francisco Public Utilities Commission meeting will be held in Room 400, at 1 Dr. Carlton B. Goodlett Place (400 Van Ness Ave.), San Francisco, CA. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: MUNI Metro Lines J-Church, K-Ingleside, L-Taraval, M-Ocean View, N-Judah and T-Third at Van Ness and Civic Center Stations; F-Market; 19-Polk, 47-Van Ness; 49-Mission-Van Ness; 5-Fulton; 6-Parnassus, 21-Hayes; 9-San Bruno; and 7-Haight Noriega. For information about MUNI accessible services call 701.4485.

The meeting room is wheelchair accessible. Accessible curbside parking spaces have been designated on the Van Ness Avenue and McAllister Street perimeters of City Hall for mobility-impaired persons. There is accessible parking available within the Civic Center Underground Parking Garage at the corner of McAllister and Polk Streets, and within the Performing Arts Parking Garage at Grove and Franklin Streets.

To obtain a disability-related accommodation, including auxiliary aids or services, or to obtain meeting materials in alternative format, please contact Donna Hood at 415.554.3165. Providing at least 72 hours notice will help to ensure availability. Written reports or background materials for calendar items are available for public inspection and copying at 525 Golden Gate Ave., 13th Floor during regular business hours and are available on-line at <http://www.sfwater.org/index.aspx?page=167>.

To assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the President may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Know Your Rights Under the Sunshine Ordinance: Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact Administrator, by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.4689; by phone at 554.7724; by fax at 554.7854; or by email at soft@sfgov.org.

Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at <http://www.sfgov.org>.



311 Free Language Assistance: 免費語言協助 / Ayuda gratuita con el idioma / Бесплатная помощь переводчиков / Trợ giúp Thông dịch Miễn phí / Assistance linguistique gratuite / 無料の言語支援 / 무료 언어 / 지원 / คว"มขวั ยเหลลลล ท"งภ"ษ"โดยไม่ว สยคาไซจ้ าย / Libreng tulong para sa wikang Tagalog ยเหลลลล

Lobbyist Registration and Reporting Requirements: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site at www.sfgov.org/ethics.

CEQA Appeal Rights under Chapter 31 of the San Francisco Administrative Code: If the Commission's action on a project constitutes the Approval Action for that project (as defined in S.F. Administrative Code Chapter 31, as amended, Board of Supervisors Ordinance Number 161-13), then the CEQA determination prepared in support of that Approval Action is thereafter subject to appeal within the time frame specified in S.F. Administrative Code Section 31.16. Typically, an appeal must be filed within 30 calendar days of the Approval Action for a project that has received an exemption or negative declaration pursuant to CEQA. For information on filing an appeal under Chapter 31, contact the Clerk of the Board of Supervisors at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102, or call (415) 554-5184. If the Planning Department's Environmental Review Officer has deemed a project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained on-line at <http://www.sf-planning.org/index.aspx?page=3447>. Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or San Francisco Public Utilities Commission at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. [Approval of the Minutes of May 22, 2018](#)
4. General Public Comment (discussion only)
Members of the public may address the Commission on matters that are within the Commission's jurisdiction and are not on today's agenda.
5. Communications (discussion only)
 - a) [Advance Calendar](#)
 - b) [Correspondence Log](#)
 - c) [Contract Advertisement Report](#)
 - d) [Annual Multi-Enterprise Climate Committee Update](#)
 - e) [Water Supply Conditions Update](#)
6. Other Commission Business (discussion only)
7. Report of the General Manager (discussion only)
 - a) CleanPowerSF Update (Hale)
 - b) [Sewer System Improvement Program Quarterly Update](#) (How)
 - c) [Wastewater Capital Improvement Program Quarterly Report](#) (How)
 - d) Report on Recent San Francisco Public Utilities Commission Activities, Events and Announcements
8. Recognition of Tracy Yamaguchi upon her retirement after 27 years of distinguished service to the SFPUC (discussion only) (Kelly, Jr.)
9. [Green Infrastructure Early Implementation Projects: Monitoring and Lessons Learned](#) (discussion only) (Henderson)
10. Update on federal legislation and appropriations relevant to SFPUC operations including the Water Infrastructure Finance and Innovation Act program, State Revolving Funds, Ocean Beach Replenishment, Workforce Development, and Federal Energy Regulatory Commission Proceedings (discussion only) (Ellis)

The following matters before the San Francisco Public Utilities Commission are recommended for action as stated by the General Manager and City Attorney, where applicable. Explanatory documents provided to the Commission in connection with this agenda are available for public inspection and copying at the Office of the Commission Secretary, 525 Golden Gate Avenue, 13th Floor, San Francisco, CA 94102; Telephone: (415) 554-3165; Fax: (415) 554-3424; and are available on-line at <http://www.sfwater.org/index.aspx?page=167>

CONSENT CALENDAR

11. *All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the San Francisco Public Utilities Commission, and will be acted upon by a single vote of the Commission. There will be no separate discussion of these items unless a member of the Commission or the public so requests, in which event the matter will be removed from the Calendar and considered as a separate item.*
- a) Approve Modification No. 1 to [Job Order Contract \(JOC\), JOC- 51](#), Heating Ventilation Air Conditioning (HVAC) Energy Efficiency (C-20 License) for San Francisco, San Mateo, Santa Clara, and Alameda Counties with EMCOR/Mesa Energy Systems, Inc., to perform HVAC and energy efficiency mechanical upgrades in City-owned municipal facilities, increasing the contract by \$2,500,000 for a total contract amount of \$7,500,000, and increasing the duration by one year for a total contract duration of five years, as allowed for contracts executed under San Francisco Administrative Code Ch. 6.62. Job Order Contracts (f) and (g).
(How)
 - b) Accept work performed by D'Arcy & Harty Construction for [Contract No. WW-603](#), As-Needed Main Sewer Replacement, for a total contract amount of \$3,843,339 and a total duration of 760 consecutive calendar days (approximately two years, one month), and authorize final payment to the contractor.
(How)
 - c) Approve an increase to the existing construction contract duration contingency of 90 consecutive calendar days (three months) to [Contract No. WW-625](#), Oceanside Water Pollution Control Plant Flare Control and Stack Upgrade; and authorize the General Manager to approve future modifications to the contract duration up to a total of 750 consecutive calendar days (approximately two years, one month), with no change to the contract amount.
(How)
 - d) Approve an increase to the existing construction contract duration contingency of 134 consecutive calendar days (approximately four months) to [Contract No. WW-633](#), Various Locations Sewer Replacement No. 2; and authorize the General Manager to approve future modifications to the contract duration for a total revised contract duration up to 640 consecutive calendar days (approximately one year, eight months), with no change to contract amount.
(How)

REGULAR SESSION

12. Authorize the General Manager to execute a [Conditional Land Disposition and Acquisition Agreement](#) by and between the City and County of San Francisco (City), acting through its Public Utilities Commission and 2000 Marin Property, L.P. (Developer), providing for the City's future transfer of real property at 639 Bryant Street (Block 3777, Lot 052) in exchange for acquiring 2000 Marin Street (Block 4346, Lot 002), and including the Developer reimbursing the SFPUC for certain costs, with closing conditioned on several factors including

the City's discretionary approval after completion of environmental review, subject to approval by the Board of Supervisors; adopt a finding declaring 639 Bryant Street surplus to SFPUC's utility needs, conditioned upon and effective upon the date of close of escrow on the proposed land exchange transaction.
(Carlin)

13. Approve [Amendment No. 1 to CS-1048\(G\)](#), Grant Agreement with the San Francisco Unified School District to fund the construction of a pilot Stormwater Schoolyard at Robert Louis Stevenson Elementary School; and authorize the General Manager to execute this amendment, increasing the grant amount by \$180,000 for a total amount of \$708,000, with no change in the agreement duration.
(Henderson)
14. Approve the selection of and award [Grant Agreement No. PRO.0075](#) to Chinatown Community Development Center (CCDC) to implement the Sustainable Chinatown Initiative Pilot Project to coordinate outreach with City agencies and community stakeholders on development and implementation of green infrastructure, non-potable reuse, and energy efficiency projects in Chinatown; and authorize the General Manager to negotiate and execute a grant agreement with CCDC for an amount not-to-exceed \$180,000, and with a total duration of two years.
(Henderson)
15. Approve the plans and specifications, and award [Contract No. WW-656](#), As-Needed Spot Sewer Replacement No. 37, for a total contract amount not-to-exceed \$8,198,256, and with a duration of 400 consecutive calendar days (approximately one year, one month), to J. Flores Construction Company, Inc., to replace sections of existing sewer piping, on an as-needed basis, at locations to be determined throughout the City of San Francisco; and authorize the General Manager to negotiate and execute a contract for an amount not-to-exceed \$8,198,256 with the sole qualified, responsible and responsive bidder, J. Flores Construction Company, Inc., or, if negotiations are unsuccessful, with another qualified contractor, as permitted under San Francisco Administrative Code Section 6.23(c)(2).
(How)
16. Approve [Amendment No. 1 to Agreement No. 1000000172](#), As-Needed Technical Services Agreement with Aclara Technologies LLC, to procure proprietary hardware consisting of Meter Transmission and Data Collector Units; and authorize the General Manager to execute this amendment, increasing the agreement by \$2,349,857 for a total contract not-to-exceed amount of \$2,915,857, and with a time extension of three additional years, through December 31, 2023, for a total contract duration of eight years.
(How)
17. Approve three [Resource Adequacy \(RA\) contracts](#) for CleanPowerSF executed by the General Manager between the San Francisco Public Utilities Commission and Pacific Gas & Electric Company, with a combined term of two years and five months, and total costs of \$13.7 million; and authorize the General Manager to seek retroactive approval from the Board of Supervisors for the three RA contracts.
(Hale)
18. Motion on whether to assert the attorney-client privilege regarding the matters listed below as Conference with Legal Counsel

The Commission will go into Closed Session to discuss the following items:

19. Conference with Legal Counsel – Pursuant to California Government Code Sections 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1) (Lakritz)

Existing Litigation

Pacific Bell Tel. Col, et al v. City and County of San Francisco

San Francisco Superior Court Case No.: CGC-16-554661

Date Filed: October 4, 2016

Proposed Settlement of action with plaintiff's release of all claims and the city to pay plaintiff in the amount of: \$852,057.22

20. Conference with Legal Counsel – Pursuant to California Government Code Sections 54956.9 (d) (1) and (e) (3), and San Francisco Administrative Code Section 67.10 (d) (1) (Simpson)

Existing Litigation

Charleen Maghzi, individually and as trustee of the Maghzi Family Marital Trust v. The City and County of San Francisco

San Francisco Superior Court Case No.: CGC-18-563778

Date Filed: January 26, 2018

Proposed settlement of action with plaintiff's release of all claims and the City to pay plaintiff \$1,427,637.59

21. Conference with Legal Counsel – Pursuant to California Government Code Sections 54956.9 (d) (1) and (e) (3), and San Francisco Administrative Code Section 67.10 (d) (1) (Rosenblit)

Existing Litigation

Isabel Rodriguez-Alba v. City and County of San Francisco

San Francisco Superior Court Case No.: CGC-15-548917

Date Filed: October 10, 2015

Proposed settlement of action with plaintiff's release of all claims and the City to pay plaintiff \$55,000

22. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1) (discussion only) (Milstein)

Existing Litigation

Restore Hetch Hetchy v City and County of San Francisco

California Court of Appeal, Fifth Appellate District Court, Case No.: F074107

City Law No.: 151139 / Date Filed July 12, 2016

23. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1) (discussion only) (Mueller)

Existing Litigation:

Pacific Gas & Electric

Federal Energy Regulatory Commission

Tariff Withdrawal per 35.15: Notice of Termination of the 1987 CCSF Interconnection Agreement – PG&E Rate Schedule FERC No. 114 to be effective 6/30/15.

Case No.: ER15-702-000/Date Filed: December 23, 2014

24. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1) (discussion only) (Mueller)

Existing Litigation:

Pacific Gas & Electric

Tariff Withdrawal per 35.15: Notice of Termination of The CCSF Facilities Charge Agreement for Moscone to be effective 6/30/15.

Case No.: ER15-703-000/Date Filed December 23, 2014

25. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1) (discussion only) (Mueller)

Existing Litigation:

Pacific Gas & Electric

Federal Energy Regulatory Commission

§205(d) rate filing per 35.13 (a)(2)(iii): City and County of San Francisco Transmission Owner Tariff Replacement Agreements to be effective 7/1/15

Case No.: ER15-705-000/Date Filed: December 23, 2014

26. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1) (discussion only) (Mueller)

Existing Litigation:

Pacific Gas & Electric

Federal Energy Regulatory Commission

§205(d) rate filing per 35.13 (a)(2)(iii): City and County of San Francisco Wholesale

Distribution Tariff Replacement Agreements to be effective 7/1/15

Case No.: ER15-704-000/Date Filed: December 23, 2014

27. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1) (discussion only) (Mueller)

Existing Litigation:

Pacific Gas & Electric

Federal Energy Regulatory Commission

Notice of Termination of Facilities Charge Agreements between PG&E and the City and County of San Francisco

Case No.: ER15-735-000/Date Filed: December 23, 2014

28. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1) (discussion only) (Mueller)

Existing Litigation:

City and County of San Francisco v. Pacific Gas & Electric
Federal Energy Regulatory Commission
Complaint under Sections 206 and 306 of the Federal Power Act.
Case No.: EL15-3-000/Date Filed: October 9, 2014

29. Announcement following Closed Session
30. Motion regarding whether to disclose the discussions during Closed Session pursuant to San Francisco Administrative Code Section 67.12(a)
31. Other New Business (discussion only)
32. Adjournment

San Francisco Public Utilities Commission
525 Golden Gate Avenue, 13TH Floor
San Francisco, CA 94102