



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

**AGENDA**

**Tuesday, August 13, 2019**

**1:30 P.M.**

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

**Commissioners**

Ann Moller Caen, President  
Francesca Vietor, Vice President  
Anson Moran  
Sophie Maxwell  
Tim Paulson

**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](http://www.sfwater.org)

Gavel-to-Gavel coverage available at:

[http://sanfrancisco.granicus.com/ViewPublisher.php?view\\_id=22](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., 13<sup>th</sup> 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](mailto: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"มข๓ว" ยเหล๓ล๓ ท"งภ"ษ"โดยไม๓ง" ส"ยค๓าไขจ"าย / Libreng tulong para sa wikang Tagalog ยเหล๓ล๓

**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](http://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 July 23, 2019](#)
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) [Sewer Inspection and Replacement Program Update](#)
  - e) [Water Supply Conditions Update](#)
  - f) [Water System Improvement Program Status of Construction Change Orders](#)
6. Report of the General Manager (discussion only)
  - a) Bay Delta Water Quality Control Plan Update
  - b) CleanPowerSF Update
  - c) [Quarterly Audit and Performance Review Report](#)
    - i. [City and County of San Francisco Basic Financial Statements and Single Audit Report: FY 2017-18](#)
    - ii. [CleanPowerSF Triennial Data Privacy Audit Report](#)
    - iii. [Community Benefits, Phase III: Agency-wide Community Benefits Evaluation Framework](#)
    - iv. [Health and Safety Program Performance Assessment, Phase III](#)
    - v. [Royalties Lease Administration Audit: Oliver De Silva, Inc.](#)
  - d) [Water Enterprise Capital Improvement Program Quarterly Report](#)
  - e) [Water System Improvement Program Local](#) and [Regional](#) Quarterly Reports
  - f) Report on Recent San Francisco Public Utilities Commission Activities, Events and Announcements
7. Other Commission Business (discussion only)

*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, 13<sup>th</sup> 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

8. *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 Amendment No. 2 to [Agreement No. PRO.0029](#), Project Pull Internship Services, with the Japanese Community Youth Council, to continue providing administrative services and technical assistance for the Project Pull Internship Program; and authorize the General Manager to execute this amendment, increasing the agreement by \$800,000 for a total contract amount not-to-exceed \$3,300,000, with no change to the contract duration. (How)
- b) Approve the selection of Carollo Engineers, Inc./Water Resources Engineering, Inc. Joint Venture (Carollo/WRE JV); award [Agreement No. PRO.0118](#), Water Resources Professional Services, to provide specialized and technical services for water resources management, conservation planning and program support for the Water Resources Division of the Water Enterprise; and authorize the General Manager to negotiate and execute a professional services agreement with Carollo/WRE JV for an amount not-to-exceed \$4,000,000, and with a duration of five years. (Ritchie)
- c) Approve the selection of Dr. Gary Brierly (DBA Doctor Mole Incorporated), Dr. Youssef Hashash, and Mr. Frank Rollo (DBA Frank L. Rollo, Consulting Geotechnical Engineer); award [Agreement Nos. PRO.0137.A-C](#), Tunnel Technical Advisory Panel Services, to Dr. Gary Brierly (PRO.0137.A), Dr. Youssef Hashash (PRO.0137.B), and Mr. Frank L. Rollo (PRO.0137.C), to provide technical advisory services for San Francisco Public Utilities Commission tunnel projects on an as-needed basis; and authorize the General Manager to negotiate and execute three professional services agreements, each with a duration of four years, in amounts not-to-exceed \$200,000 for PRO.137.A, \$250,000 for PRO.137.B, and \$200,000 for PRO.0137.C. (How)
- d) Approve an increase in the amount of \$4,316,159 to the existing contract cost contingency, and an increase of 220 calendar days (approximately seven months) to the existing contract duration contingency, for [Contract No. WD-2729](#), Fish Passage Facilities within the Alameda Creek Watershed, a sub-project of the Calaveras Dam Replacement Project; and authorize the General Manager to approve future modifications to the contract for a total contract amount of up to \$44,757,805 and a total contract duration of up to 1,289 consecutive calendar days (approximately three years and seven months). (How)
- e) Approve an increase in the amount of \$600,000 to the existing contract cost contingency and an increase of 30 calendar days to the existing contract

duration contingency for [Contract No. WD-2794A](#), Sunol Long Term Improvements Sunol Yard; and authorize the General Manager to approve future modifications to the contract for a total contract amount of up to \$37,054,700 and a total contract duration of up to 986 consecutive calendar days (approximately two years and nine months). (How)

- f) Approve an increase in the amount of \$400,000 to the existing construction contract cost contingency and an increase of 250 calendar days (approximately eight months) to the existing contract duration contingency for [Contract No. WD-2809](#), San Francisco Groundwater Supply Phase 2; and authorize the General Manager to approve future modifications to the contract for a total contract amount of up to \$11,158,000 and a total contract duration of up to 1,075 consecutive calendar days (approximately three years). (How)
- g) Ratify correction to the contract duration approved on April 9, 2019 in Resolution No. 19-0069 for [Contract No. WD-2850\(I\)](#), Crystal Springs/San Andreas Pipeline Erosion Repair at OW-13 and OW-18, to state that Modification No. 2 (Final) increased the contract duration by 22 days for a final total duration of 112 consecutive calendar days (approximately four months). (How)
- h) Accept the work performed by Kone, Inc. for [Contract No. WW-597](#), Wastewater Enterprise Elevator Maintenance; approve Modification No. 2 (Final), decreasing the contract amount by \$59,842, for a total contract amount of \$537,127 and with a total contract duration of 1,196 consecutive calendar days (approximately three years and four months); and authorize final payment to the Contractor. (Norby)
- i) Accept work performed by Pipe & Plant Solutions, Inc. for [Contract No. WW-658](#), As-Needed Cleaning and Inspection of Large Sewers; approve Modification No. 4 (Final) decreasing the contract amount by \$21,405 and decreasing the contract duration by 326 consecutive calendar days (approximately eight months), for a total contract amount of \$2,941,989 and a total contract duration of 604 consecutive calendar days (approximately one year and eight months); and authorize final payment to the contractor. (How)

## REGULAR CALENDAR

- 9. Adopt the Final Mitigated Negative Declaration (FMND), the Mitigation Monitoring and Reporting Program (MMRP), and the Findings as required by the California Environmental Quality Act (CEQA) for the [Montara Mountain Rainfall Prediction and Radio Replacement Project](#); approve Montara Mountain Rainfall Prediction and Radio Replacement Project to install a weather radar and communications tower on Montara Mountain; adopt the required CEQA Findings, FMND and MMRP; and authorize the General Manager to implement the Project. This action constitutes the Approval Action for the project for the purposes of the CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code. (Ritchie)

10. Approve the Revised [Water Supply Assessment for the proposed Potrero Power Station Project](#), pursuant to the State of California Water Code Section 10910 *et seq.*, California Environmental Quality Act (CEQA) Section 21151.9, and CEQA Guidelines Section 15155. (Ritchie)
11. Public Comment on matters to be addressed during Closed Session
12. 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:*

13. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1) (Gessner)

Existing Litigation

*Abuon Mayen v. City and County of San Francisco, et al.*

San Francisco Superior Court No. CGC-18-566751 / Date Filed: March 3, 2018

Proposed settlement of lawsuit with plaintiff's release of lawsuit and the City to pay plaintiff \$225,000.

14. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9 (d) (2) and San Francisco Administrative Code Section 67.10 (d) (2) (Gessner)

Existing Unlitigated Claim

*Federal Insurance Co. a/s/o/ CCT Enterprise v. City and County of San Francisco*

Unlitigated File No. 19-01921

Proposed settlement of claim with claimant's release of all claims and the City to pay claimant \$47,766.59.

15. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9 (d) (2) and San Francisco Administrative Code Section 67.10 (d) (2) (Gessner)

Existing Unlitigated Claim

*Property & Casualty Insurance Co. of Hartford v. City and County of San Francisco*

Unlitigated File No. 19-00629

Proposed settlement of claim with claimant's release of all claims and the City to pay claimant \$72,273.

16. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9 (d) (2) and San Francisco Administrative Code Section 67.10 (d) (2) (Gessner)

Existing Unlitigated Claim

*The Mint Collection HOA v. City and County of San Francisco*

Unlitigated File No. 19-00585

Proposed settlement of claim with claimant's release of all claims and the City to pay claimant \$35,147.30.

17. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1) (Gessner)

Existing Litigation

*The Roman Catholic Archbishop of San Francisco, et al. v. City and County of San Francisco et al.*

United States District Court Northern District 13-CV-2220 MEJ / Date Filed: April 11, 2013

Proposed settlement of lawsuit and the City's claim against co-defendant U.S. Pipe, with U.S. Pipe to pay the City \$913,970.

18. 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 Corporation*

Case No. 19-30088/Date Filed: January 29, 2019

Case No. 19-30089/Date Filed: January 29, 2019

United States Bankruptcy Court, Northern District of California

19. 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 Company, Docket No. EL19-38-000/Date Filed: January 28, 2019 Federal Energy Regulatory Commission*

20. 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

*Following Closed Session, the Commission will reconvene in Open Session*

21. Announcement Following Closed Session
22. Motion regarding whether to disclose the discussions during Closed Session pursuant to San Francisco Administrative Code Section 67.12 (a)

23. Other New Business (discussion only)

24. Adjournment



San Francisco Public Utilities Commission  
525 Golden Gate Avenue, 13<sup>TH</sup> Floor  
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