



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, June 25, 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"มขว" ยเหลือี ท"งภ"ษ"โดยไม"ง" ส"ยคาไขจ"าย / Libreng tulong para sa wikang Tagalog ยเหลือี

**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 June 11, 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) [Water Supply Conditions Update](#)
6. Employee Retirement Recognitions (discussion only)
  - a. Recognition of Ralph Leong on the occasion of his retirement following more than 28 years of service the San Francisco Public Utilities Commission
  - b. Recognition of Deputy City Attorney Joshua D. Milstein on the occasion of his retirement following 34 years of service on the San Francisco City Attorney's Office's Public Utilities Commission Team
7. Report of the General Manager (discussion only)
  - a) CleanPowerSF Update
  - b) Report on Recent San Francisco Public Utilities Commission Activities, Events and Announcements
8. Presentation and Discussion of [May 13, 2019 SFPUC Preliminary Public Power Options Report](#) (discussion only) (Hale)
9. Bay Area Water Supply & Conservation Agency Update (discussion only) (Sandkulla)
10. 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

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 the terms and conditions of and authorize the General Manager to execute an [eight-year, no-fee revocable license to the Sequoia Union High School District](#), to use approximately 108,950 square feet of portions of SFPUC Parcels 328-B, 328-C, and 328-D adjacent to Woodside High School at 199 Churchill Avenue in Woodside, California, for the operation, maintenance, and repair of permitted improvements, and permit certain encroachments on the License Area. (Carlin)
- b) Authorize the General Manager to execute, on behalf of the City and County of San Francisco, a [Memorandum of Understanding with the San Joaquin County Office of Education](#) (SJCOE) to assist the SFPUC in meeting its workforce requirements for the Hetch Hetchy Water and Power Capital Plan through worker participation in San Joaquin, Tuolumne, Stanislaus, and Mariposa Counties, through an agreement with an initial term of three years, with an option to extend for an additional two years, and for an amount not-to-exceed \$758,340. (How)
- c) Approve an increase of \$1,000,000 to the existing contract cost contingency, and an increase of 250 consecutive calendar days (approximately eight months) to the contract duration contingency for [Contract No. HH-989](#), Holm Powerhouse Rehabilitation & Kirkwood Powerhouse Oil Containment; and authorize the General Manager to approve future modifications to the contract for a total contract amount of up to \$11,942,800, and a total revised contract duration of up to 891 consecutive calendar days (approximately two years and six months). (How)
- d) Accept work performed by Big Valley Electric for [Contract No. HH-992](#), Modesto Transmission Line Clearance Mitigation; approve Modification No. 1 (Final), increasing the contract amount by \$170,387 for a total contract amount of \$1,881,387 and increasing the contract duration by 29 consecutive calendar days, for a total contract duration of 269 consecutive calendar days (approximately nine months); and authorize final payment to the contractor. (How)
- e) Approve an increase to the existing construction contract cost contingency in the amount of \$3,000,000 and an increase to the existing contract duration contingency of 253 consecutive calendar days (approximately eight months), for [Contract No. WD-2668](#), Regional Groundwater Storage and Recovery; and authorize the General Manager, or his designee, to approve future contract modifications, for a total revised contract amount of up to \$62,578,678 and a total revised contract duration of up to 1,797 consecutive calendar days (approximately five years). (How)
- f) Accept work performed by Minerva Construction, Inc. for [Contract No. WW-610R](#), Visitacion Valley Green Nodes, Rutland Street Sewer, and Sunnydale Pavement Improvements; approve Modification No. 4 (Final) increasing the

contract amount by \$203,552 for a total contract amount of \$3,983,864, and increasing the contract duration by 75 consecutive calendar days (approximately two months) for a total contract duration of 476 consecutive calendar days (approximately one year and four months); and authorize final payment to the contractor. (How)

- g) Accept work performed by Azul Works, Inc. for [Contract No. WW-659](#), Greenhouse Demolition at 1150 Phelps Street; approve Modification No. 3 (Final) extending the contract duration by 260 consecutive calendar days (approximately nine months), for a total contract duration of 499 days (approximately one year and four months), and a total contract amount of \$1,705,971; and authorize final payment to the contractor. (How)
- h) Approve the plans and specifications, and award [Contract No. WW-665](#), Southeast Water Pollution Control Plant (SEP) 042-Seismic Retrofit and Rehabilitation, in the amount of \$9,079,210 and with a duration of 867 consecutive calendar days (approximately two years and four months), to Western Water Constructors, Inc. to perform structural, mechanical, and electrical upgrades at various SEP buildings. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code. (How)

## REGULAR CALENDAR

- 12. Approve form of [Revolving Credit and Term Loan Agreement and Fee Letter with Toronto-Dominion Bank](#) in the principal amount not-to-exceed \$75 million and a term of three years, with a five-year option to extend for a total potential term of eight years, and a not-to-exceed annual fee of \$250,000, to replace an expiring agreement of the Wastewater Interim Funding Program that provides interim funding of the Wastewater Enterprise capital program; and authorize the General Manager to enter into the agreement with Toronto-Dominion Bank. (Sandler)
- 13. Discussion and possible action to adopt resolution confirming General Manager implementation of [adjusted schedule of CleanPowerSF rates and charges](#) to take effect on or after July 1, 2019 in accordance with the rate-setting methodology adopted by the Commission on December 11, 2018 by Resolution No. 18-0209 for the San Francisco Public Utilities Commission Power Enterprise CleanPowerSF program service in San Francisco. (Sandler)
- 14. Approve one [renewable energy contract for CleanPowerSF between the San Francisco Public Utilities Commission and Southern California Edison Company](#) with a term of two years and total costs of approximately \$15.8 million; and authorize the General Manager to seek approval from the Board of Supervisors for the contract. (Hale)
- 15. Public Comment on matters to be addressed during Closed Session
- 16. 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:*

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

Unlitigated Claim

*Shambhala Healing Center v. City and County of San Francisco*

Unlitigated File No.19-02638/Date Filed: May 1, 2019

Proposed Settlement of claim with the claimant's release of all claims and the City to pay claimant \$29,250.72.

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

21. 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) (Gessner)

Existing Litigation

*San Joaquin Tributaries Authority, et al v. California State Water Resources Control Board*

Tuolumne Superior Court Case No.: CU62094/Date Filed: January 10, 2019

Coordinated as State Water Board Cases by order filed May 13, 2019 in  
Sacramento Superior Court, JCCP No. 5013

Following Closed Session, the Commission will reconvene in Open Session

22. Announcement Following Closed Session
23. Motion regarding whether to disclose the discussions during Closed Session pursuant to San Francisco Administrative Code Section 67.12 (a)
24. Other New Business (discussion only)
25. Adjournment



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## **CANCELLATION NOTICE**

**SAN FRANCISCO PUBLIC UTILITIES COMMISSION**  
City and County of San Francisco

**London N. Breed**  
Mayor

**Tuesday, July 9, 2019**  
**Regular Meeting**  
**of the San Francisco Public Utilities Commission**  
**has been**  
**CANCELLED**

**The next Regular Meeting will take place**  
**Tuesday, July 23, 2019**

### **Commissioners**

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

**Harlan L. Kelly, Jr.**  
General Manager

**Donna Hood**  
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