



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, October 8, 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"ยค๓าไ๓จ" ๓ย / 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. Annual Election of Officers: As per the San Francisco Public Utilities Commission Rules of Order, Rule No. 6, **discussion and possible action to elect a President and Vice President** of the Commission, each to serve a one-year term.
4. [Approval of the Minutes of September 10, 2019](#)
5. 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.*
6. Communications (discussion only)
  - a) [Advance Calendar](#)
  - b) [Correspondence Log](#)
  - c) [Contract Advertisement Report](#)
  - d) [Declaration of Emergency Update: Repair Southeast Treatment Plant Final Effluent Force Main](#)
  - e) [Education Opportunities and Recreation Improvements on the Peninsula Watershed, including Montara Mountain](#)
  - f) [FY 2019-20 Budget Update](#)
  - g) [Onsite Water Reuse Program Update FY18-19](#)
  - h) [Streetlight Program Update](#)
  - i) [Water Pipeline Assessment](#)
  - j) [Water Supply Conditions Update](#)
7. Report of the General Manager (discussion only)
  - a) Bay Delta Water Quality Control Plan Update, including,
    - BAWSCA Board Hearing
    - Stakeholder Process
    - Planning Commission Hearing
  - b) [Quarterly Budget Status Report](#)
  - c) [Capital Financing Plan FY19-20](#)
  - d) [Sewer System Improvement Program Quarterly Report](#)
  - e) [Wastewater Enterprise Capital Improvement Program Quarterly Report](#)
  - f) [Presentation on the Non-Binding Letter of Intent to Acquire PG&E Assets Serving San Francisco](#)
  - g) Report on Recent San Francisco Public Utilities Commission Activities, Events and Announcements
8. 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

9. *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 and authorize the General Manager to execute a no-fee, [eight-year revocable license to the City of Palo Alto](#) for use of approximately 117,038 square feet of SFPUC Parcel Nos. 238, 239, 240, 241, and 242 in Palo Alto, California for a bicycle and pedestrian pathway and landscaping with educational signage regarding the SFPUC watershed. (Carlin)
- b) Approve Amendment No. 5 to [Agreement No. CS-991](#), Preliminary Design and Environmental Analysis Services, Power Transmission Project, with URS Corporation; and authorize the General Manager to execute this amendment adjusting billing rates based on current actual salaries and authorizing annual Consumer Price Index increases to occur on January 1 of each year, with no change to the agreement amount or duration. (How)
- c) Approve Amendment No. 2 to [Agreement Nos. CS-192A, B, & D](#), Technical Review – Calaveras Dam, with Eric Kollgaard (CS-192A), I.M. Idriss (CS-192B), and John Cassidy (CS-192D), for continued participation in an independent technical advisory panel for the Calaveras Dam Replacement Project; and authorize the General Manager to execute Amendment No. 2 extending each agreement duration by six months, for a total duration of eight years, 11 months for CS-192A and CS-192B and nine years for CS-192D, with no change to the agreements' amount. (How)
- d) Approve Amendment No. 2 to [Agreement Nos. CS-382A and B](#), Calaveras Dam Technical Advisory Panel, with Gabriel Fernandez (CS-382A) and Peter P. Aberle, Inc. (CS-382B), for continued participation in an independent technical advisory panel for the Calaveras Dam Replacement Project; and authorize the General Manager to execute Amendment No. 2, extending each agreement duration by six months, for a total agreement duration of six years, two months and nine days per agreement, with no change to the agreements amounts. (How)
- e) Accept work performed by Dragados-USA, Inc./Flatiron West, Inc./Sukut Construction, Inc., Joint Venture for [Contract No. WD-2551](#), Calaveras Dam Replacement Project; approve Modification No. 87 decreasing the contract amount by \$2,755,884 for a total contract amount of \$567,780,360 and extending the contract duration by 22 days for a total contract duration

- of 2,889 consecutive calendar days (approximately eight years); and authorize final payment to the contractor. (How)
- f) Accept work performed by Dragados USA, Inc./Flatiron West, Inc./Sukut Construction, Inc. Joint Venture for [Contract No. WD-2833\(E\)](#), Temporary Construction Bypass of Calaveras Road Landslide, for a total contract amount of \$1,260,959 and a total contract duration of 60 consecutive calendar days; and authorize final payment to the contractor. (How)
- g) [Ratify correction to Resolution No. 19-0125](#) approved on June 25, 2019 for **Contract No. WW-610R**, Visitacion Valley Green Nodes, Rutland Street Sewer, and Sunnydale Pavement Improvements, to state that Modification No. 4 (Final) increased the contract duration by 112 days (not 75 days), for a final total duration of 513 consecutive calendar days (approximately one year, five months) (not 476 days), with no change to the final approved contract amount. (How)
- h) Accept work performed by Precision Engineering Inc. for [Contract No. WW-612](#), Various Locations Sewer Replacement and Pavement Renovation; approve Modification No. 1 (Final), decreasing the contract amount by \$60,401, for a total contract amount of \$4,771,600, and a total contract duration of 500 consecutive calendar days (approximately one year and five months); and authorize final payment to the contractor. (How)
- i) Accept work performed by Precision Engineering, Inc. for [Contract No. WW-623](#), SOMA/Bernal Heights/Excelsior Districts Sewer Replacement and Pavement Renovation, for a total contract amount of \$5,586,692, and a total contract duration of 413 consecutive calendar days (approximately one year and two months); and authorize final payment to the contractor. (How)
- j) Approve the plans and specifications and award [Contract No. WW-692](#), As-Needed Spot Sewer Replacement No. 39, in the amount not-to-exceed \$8,176,960, with a duration of 400 consecutive calendar days (approximately one year, one month), to the responsible and responsive bidder, Precision Engineering, Inc., to replace sections of existing sewer piping, on an as-needed basis, at locations to be determined throughout San Francisco. (How)

## REGULAR CALENDAR

10. Approve modification of the San Francisco Public Utilities Commission's [Non-potable Grant Program](#) to (1) change the name of the program to the Onsite Water Reuse Grant Program, (2) expand requirements for brewery process water treatment systems, (3) make non-substantive corrections or modifications to the Grant Program Rules, and (4) authorize the General Manager to approve future modifications to the Grant Program Rules. (Ritchie)
11. Adopt revised [Section G, Cross-Connection Control](#), of the San Francisco Public Utilities Commission's *Rules and Regulations Governing Water Service to Customers* implementing Article 12A of the San Francisco Health Code. (Ritchie)

12. Approve two [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 term of three years and total cost of approximately \$26.1 million; approve the sale of RA products to Pacific Gas & Electric Company and Southern California Edison in an amount not-to-exceed \$3.5 million; and authorize the General Manager to seek retroactive approval from the Board of Supervisors for the RA contracts.  
(Hale)
13. Approve form of [Second Amendment to Revolving Credit and Term Loan Agreement and Second Amended and Restated Fee Letter](#) with State Street Bank and Trust Company to (1) increase the principal amount by \$100 million for a total not-to-exceed amount of \$200 million, and a not-to-exceed annual fee of \$800,000, and (2) extend the term by four years, with a one-year option to extend, for a total possible term of 10 years, for the Wastewater Interim Funding Program; and authorize the General Manager to enter into the Second Amendment to Revolving Credit and Term Loan Agreement and Second Amended and Restated Fee Letter with State Street Bank and Trust Company.  
(Sandler)
14. Award a [Green Infrastructure Grant](#) to the San Francisco Unified School District (SFUSD) to design, and if the project proceeds, construct stormwater management features at Bessie Carmichael Middle School located at 824 Harrison Street in San Francisco; authorize the General Manager to execute a Green Infrastructure Grant Agreement with SFUSD with a duration of 20 years and in an amount up to \$428,075.  
(Norby)
15. Approve modifications to [Project No. CWWSIPSE02](#), Southeast Water Pollution Control Plant New Headworks Facility, to remove scope associated with conversion of Bruce Flynn Pump Station to an all-weather pump station (Scope II.A), and add construction of a new 50 million gallons per day lift station (Scope II.C), and associated sewer work (Scope II.B), cumulatively the Modified Project; and authorize the General Manager to proceed with the Construction Phase of the Modified Project, pursuant to Construction Manager/General Contractor Agreement No. WW-628 SEP New Headworks Facility.  
(How)
16. Authorize the General Manager to execute a [Memorandum of Understanding with the San Francisco Municipal Transportation Agency](#) (SFMTA) to set forth the agencies' respective responsibilities, including cost sharing allocations, to jointly replace the San Francisco Public Utilities Commission's water and sewer facilities and/or relocate them away from the new railway tracks along Taraval Street, from SF Zoo to Sunset Boulevard, as part of the SFMTA's construction of Segment A of the L-Taraval Transit Improvement Project – SF Zoo To Sunset Boulevard, for a total estimated cost to the SFPUC of \$11,843,747. This action constitutes the Approval Action for the Project for the purposes of California Environmental Quality Act, pursuant to Section 31.04(h) of the San Francisco Administrative Code.  
(How)
17. Public Comment on matters to be addressed during Closed Session

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 Section 54956.9 (d) (2) and San Francisco Administrative Code Section 67.10 (d) (2) (discussion only) (Roddy)

Anticipated Litigation as Plaintiff and/or as Defendant

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) (Gessner)

Existing Litigation

*Pacific Bell Telephone Company v. City and County of San Francisco*

San Francisco Superior Court Case No. CGC-19-575041

Date Filed: July 11, 2019

Proposed settlement of lawsuit with plaintiff's release of lawsuit and the City to pay plaintiff \$124,500.

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) (Gessner)

Existing Litigation

*Joan Frost v. City and County of San Francisco*

San Francisco Superior Court Case No. CGC-18-568679

Date Filed: August 3, 2018

Proposed settlement of lawsuit with plaintiff's release of lawsuit and the City to pay plaintiff \$105,000.

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) (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

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

*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*

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

*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*

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



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