



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 AGENDA
Tuesday, April 12, 2022
1:30 PM

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

This meeting will be held in person at the location listed above. As authorized by California Government Code Section 54953(e) and Mayor Breed's 45th Supplement to her February 25, 2020 emergency proclamation, it is possible that some members of the San Francisco Public Utilities Commission may attend this meeting remotely. In that event, those members will participate and vote by video. Members of the public may attend the meeting to observe and provide public comment at the physical meeting location listed above or may

watch live online at <https://www.sfgovtv.org/sfpuc>

Instructions for providing remote public comment are below

PUBLIC COMMENT CALL-IN:

1 (415) 655-0001 / MEETING ID: 2497 390 5690 # #

Commissioners

Anson Moran, President
Newsha Ajami, Vice President
Sophie Maxwell
Tim Paulson


Dennis J. Herrera
General Manager

Donna Hood
Secretary



Accessible Meeting Policy: To obtain meeting materials in alternative format, please contact the Commission Secretary at 415-554-3165 or via email at Commission@sfgwater.org. Providing at least 72 hours' notice will help to ensure availability. Written reports or background materials for calendar items are available on-line at the [Commission website](#).

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 / ความช่วยเหลือ “งก” “โดยไม่ว่” ส่ยกาไซจจ ้าย / Libreng tulong para sa wikang Tagalog ยเหลือ

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. 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.
4. [Approval of the Minutes of March 22, 2022](#)
5. General Public Comment
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) [Contract Advertisement Report](#)
 - c) [Correspondence Log](#)
 - d) [Annual Electric Reliability Compliance Program Report](#)
 - e) [Annual Power Risk Management Plan](#)
 - f) [CleanPowerSF Quarterly Report](#)
 - g) [Quarterly Report on Contracts Awarded by the General Manager Pursuant to Delegated Authority](#)
 - h) [Quarterly Status Report to the San Francisco Board of Supervisors per Resolution No. 227-18, Report on Connections to PG&E Grid and Related Disputes](#)
7. Report of the General Manager (discussion only)
 - a) [Drought Conditions Update](#)
 - b) [Annual Comprehensive Financial Report and Popular Annual Financial Report](#)
 - c) [Upper Islas Creek Watershed Approach](#)
 - d) Report on Recent San Francisco Public Utilities Commission Activities, Events and Announcements
8. New Commission Business (discussion only)
9. **CONSENT CALENDAR**
 - a) Award [Job Order Contract No. JOC-85R](#), General Engineering (A License) Construction, to perform work in San Joaquin, Stanislaus, and Tuolumne Counties and at Hetch Hetchy, for a total contract amount not-to-exceed \$5,000,000 with a minimum guaranteed opportunity amount of \$50,000, with a duration of two years, to the responsible bidder that submitted the lowest responsive bid, Anvil Builders, Inc. (Johanson)
 - b) Approve Amendment No. 1 to [Contract Nos. PRO.0018.A](#), with Siemens Industry Inc., and **PRO.0018.B**, with Utilicast, LLC, increasing each contract duration by one year for a total duration of six years, with no change to the contract amounts; and

authorize the General Manager to execute this amendment. (Hale)

- c) Accept work performed by contractor Ronan Construction, Inc. for [Contract No. WD-2870\(I\)](#), Millbrae Warehouse Loading Dock Repair; approve Modification No. 1 (Final), decreasing the contract by \$74,787, for a total contract amount of \$495,958; and authorize final payment to the contractor. (Johanson)
- d) Accept work performed by Azul Works Inc. for [Contract No. WW-663](#), Ocean Beach Coastal Erosion and Wastewater Infrastructure Protection; approve Modification No. 1 (Final), decreasing the contract by \$1,252,932, for a total contract amount of \$1,608,618, with no change to the contract duration; and authorize final payment to the contractor. (Johanson)
- e) Approve an increase of 106 calendar days to the contract duration contingency for [Contract No. WW-679](#), Various Locations Sewer Replacement No. 8, with Precision Engineering, Inc.; and authorize the General Manager to approve future modifications to the contract for a total contract duration of up to 573 consecutive calendar days (approximately one year and seven months), with no change to contract amount. (Johanson)

REGULAR CALENDAR

- 10. Approve Amendment No. 1 to [Contract No. CS-249](#), Planning and Design Services for Mountain Tunnel Improvements Project, with McMillen Jacobs Associates, increasing the contract by \$7,780,000 and increasing the contract duration by three years, for a total not-to-exceed contract amount of \$28,780,000 and a total contract duration of 13 years, to provide specialized engineering services for the Mountain Tunnel Improvements Project; and authorize the General Manager, subject to Board of Supervisors approval as required by Charter Section 9.118, to execute this amendment. (Johanson)
- 11. Approve an increase of \$500,000 to the contract cost contingency and an increase of 300 calendar days to the contract duration contingency, for [Contract No. WD-2797](#), San Francisco Westside Recycled Water Pump Station and Reservoir, with JMB Construction; and authorize the General Manager to approve future modifications to the contract for a total contract amount of up to \$18,196,520 and a total contract duration of up to 1,334 consecutive calendar days (approximately three years and eight months). (Johanson)
- 12. Approve the [Project Participation and Share Agreement, the Buyer Liability Pass-Through Agreement, and the Coordinated Operations Agreement](#), so that CleanPowerSF may participate in California Community Power's long-duration energy storage project with Goal Line Battery Energy Storage System 1, LLC; and authorize the General Manager to execute the agreements on behalf of the CleanPowerSF program with total contract costs not-to-exceed \$45 million for a term of twenty (20) years; and authorize the General Manager to seek approval from the Board of Supervisors to execute the agreements. (Hale)
- 13. [Adopt findings declaring as surplus](#) to the San Francisco Public Utilities

Commission's utility needs under Charter Section 8B.121 and as "surplus land" and "exempt surplus land" under the California Surplus Land Act (Cal. Gov't Code Section 54220 et seq.), approximately 10,925 square feet of real property designated as portions of Assessor's Parcel No. 104-28-066 in the City of Sunnyvale, Santa Clara County, California (Property, identified as Parcel 3), owned by the City and County of San Francisco (City), under the jurisdiction of the SFPUC; recommend that the Board of Supervisors authorize the City's Director of Property to execute a quitclaim deed conveying Parcel 3 to Santa Clara Valley Water District ("Valley Water"); and authorize the General Manager to execute an Agreement for Sale of Real Estate upon approval from the Board of Supervisors and Mayor to convey Parcel 3 to Valley Water for \$33,000. (Carlin)

14. Authorize the Issuance of up to \$950 million of the [2022 Series ABCD Taxable Water Revenue Bonds](#) to refund all or a portion of the outstanding Series 2015A, 2016A, 2017A, 2017B, 2017C, 2017D, and 2020B Water Revenue Bonds to achieve debt service savings. The Commission resolution will approve the issuance of the 2022 Series ABCD Taxable Water Revenue Bonds, consisting of four separate sub-series of bonds (Sub-Series A (Refunding – Federally Taxable - WSIP, Green Bonds), Sub-Series B (Refunding – Federally Taxable – Regional Water), Sub-Series C (Refunding – Federally Taxable – Hetch Hetchy Water) and Sub-Series D (Refunding – Federally Taxable – Local Water), and approve the form of, and authorize the execution and delivery of, related documents; authorize the General Manager to sell the bonds in one or more series on either a competitive or negotiated basis, as the General Manager determines is in the best financial interest of the San Francisco Public Utilities Commission (SFPUC); and delegate to the General Manager, authorization to award each series of bonds to the highest bidder (lowest cost). (Perl)
15. Authorize the Issuance of up to \$475 million of the [2022 Series AB Tax-Exempt Wastewater Refunding Bonds](#) to refund all or a portion of the outstanding Series 2013A, 2013B, and the 2022 Series CD Taxable Wastewater Refunding Bonds to advance refund all or a portion of the outstanding Series 2016A and 2016B. The Commission resolution will approve the issuance of the 2022 Series AB Wastewater Refunding Bonds, consisting of two separate sub-series of bonds (Sub-Series A (Refunding - SSIP, Green Bonds), and Sub-Series B (Refunding – Non-SSIP; and 2022 Series CD, Taxable Wastewater Refunding bonds consisting of two separate sub-series of bonds (Sub-Series C (Refunding- Federally Taxable- SSIP, Green Bonds) and Sub-Series D (Refunding- Federally Taxable- Non-SSIP)), approve the form of, and authorize the execution and delivery of, related documents; **authorize** the General Manager to sell the bonds in one or more series on either a competitive or negotiated basis, as the General Manager determines is in the best financial interest of the San Francisco Public Utilities Commission (SFPUC); and **delegate** to the General Manager, authorization to award each series of bonds to the highest bidder (lowest cost). (Perl)
16. Public comment on matters to be addressed during Closed Session.
17. 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 item:

CLOSED SESSION

18. CONFERENCE WITH LEGAL COUNSEL – Pursuant to California Government Code, Section 54956.9(d)(2), and San Francisco Administrative Code, Section 67.10(d)(2) (action item) (Bregman)

Settlement of Unlitigated Claim

USDA Forest Service v. City and County of San Francisco

Unlitigated File No. 22-10018

Proposed settlement of an unlitigated claim by the United States Department of Agriculture (USDA) Forest Service against the City and County of San Francisco, with the City to pay USDA Forest Service \$203,056.18 in exchange for a full and final release from USDA Forest Service.

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) (Bregman)

Unlitigated Claim and Existing Litigation

San Francisco Bay Regional Water Quality Control Board v. City and County of San Francisco (unlitigated claim and stipulation); *City and County of San Francisco v. U.S. Environmental Protection Agency* (U.S. Court of Appeals for the Ninth Circuit, Case No. 21-70282)

Following Closed Session, the Commission will reconvene in Open Session

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

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