



SAN FRANCISCO PUBLIC UTILITIES COMMISSION
City and County of San Francisco

London N. Breed
Mayor

REGULAR MEETING AGENDA
Tuesday, April 9, 2024
1:30 PM
(Revised)

1 Dr. Carlton B. Goodlett Place
City Hall, Room 400

Members of the San Francisco Public Utilities Commission (SFPUC) will attend this meeting in-person. Members of the public are invited to observe the meeting in-person or remotely by watching live online as described below. Members of the public attending the meeting in person or remotely will have an opportunity to provide public comment on every action or discussion item.

Members of the public are encouraged to provide public comment by email. Send an email to Commission@sfgwater.org by 4 pm the day before the meeting to ensure your comment is received by the Commission in advance of the meeting. All comments received will be made part of the official record.

REMOTE MEETING ACCESS

Watch: <https://www.sfgovtv.org/sfpuc>

REMOTE PUBLIC COMMENT CALL-IN: 1 (415) 655-0001/ACCESS CODE 2664 425 1047 # #
(No Passcode Required)

*When your item of interest is called press *3 to be added to the speaker line.*

Commenters will be allowed two minutes to speak.

Call from a quiet location, speak clearly and slowly, and turn down your television, radio, or computer.

Commissioners

Tim Paulson, President
Anthony Rivera, Vice President
Sophie Maxwell
Newsha Ajami
Kate H. Stacy

Dennis J. Herrera
General Manager

Donna Hood
Commission Secretary

ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. [Approval of the Minutes of March 26, 2024](#)
4. 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.
5. Report of the General Manager (discussion only)
 - a) Update from Chief Diversity Officer Regarding Racial Equity and Inclusion Initiatives
 - b) Report on Recent San Francisco Public Utilities Commission Activities, Events and Announcements
6. **CONSENT CALENDAR**
 - a) Approve [Contract No. CS-1415](#), Joint Funding Agreement with the U.S. Geological Survey, for Hydrologic Monitoring and Stream and Reservoir Gauge Maintenance on the Tuolumne River and its Tributaries, for an amount contributed by the San Francisco Public Utilities Commission not to exceed \$1,938,680 and with a duration of four years and 11 months.
(Ritchie)
 - b) Approve Amendment No. 3 to [Contract No. CS-389](#), Planning and Engineering Services Southeast Plant New 250 MGD Headworks Facility, with Carollo Engineering, Inc., increasing the contract amount by \$3,000,000, for a total not-to-exceed contract amount of \$57,500,000, with no change to the contract duration, to continue providing wastewater process facility engineering design and engineering support services during construction.
(Robinson)
 - c) Approve assignment and assumption for [Grant Contract No. PRO.0195\(G\).K](#), Project Learning Partnership Grant, to transfer fiscal sponsorship from San Francisco Parks Alliance to Renaissance Parents of Success.
(Ordikhani)
 - d) Award [Contract No. WD-2720](#), 8-Inch Ductile Iron Water Main Replacement, 16-Inch and 24-Inch Earthquake Resistant Ductile Iron Water Main Installation, Sewer Replacement, and Pavement Renovation on Coso and Precita Avenues from Coleridge to Bryant, to the responsible bidder that submitted the lowest responsive bid, Mitchell Engineering, in the amount \$8,633,150 and with a duration of 745 consecutive calendar days (approximately two years and one month), to install approximately 3,100 feet of earthquake resistant ductile iron water conveyance pipe, 2,100 feet of ductile iron water conveyance pipe, 1,100 feet of sewer pipe, ancillary water service pipe, curb ramps, and pavement restoration. This action constitutes the Approval Action for the Project for the purposes of the California Environmental Quality Act (CEQA), pursuant to San Francisco Administrative Code section 31.04(h). The Planning Department has determined that the Project is exempt from the CEQA. The Commission will rely on that determination to make its decision on this action.
(Robinson)

- e) Award [Contract No. WD-2765](#), 8-Inch and 16-Inch Ductile Iron Water Main Replacement on Jersey Street from Douglass Street to Church Street and Various Street Locations, to the responsible bidder that submitted the lowest responsive bid, M. Squared Construction, Inc., in the amount of \$10,202,490 and with a duration of 731 consecutive calendar days (approximately two years), to replace existing water mains in the Noe Valley neighborhood of San Francisco. This action constitutes the Approval Action for the Project for the purposes of the California Environmental Quality Act (CEQA), pursuant to San Francisco Administrative Code section 31.04(h). The Planning Department has determined that the Project is exempt from the CEQA. The Commission will rely on that determination to make its decision on this action. (Robinson)
- f) Accept work performed by Precision Engineering, Inc., under [Contract No. WW-679](#), Various Locations Sewer Replacement No. 8; approve Modification No. 3 (Final) increasing the contract amount by \$134,977 for a total contract amount of \$4,547,839, and no change to contract duration for a total contract duration of 573 consecutive calendar days (approximately one year and seven months) to adjust the final contract quantities to the match the actual contract quantities; and authorize final payment to the contractor. (Robinson)
- g) Accept work performed by KJ Woods Construction, Inc., under [Contract No. WW-711](#), Wawona Area Stormwater Improvement and Vicente Street Water Main Replacement; approve Modification No. 8 (Final) decreasing the contract amount by \$1,653,043, for a total contract amount of \$29,164,740 and decrease the contract duration by 35 consecutive calendar days for a new total contract duration of 964 consecutive calendar days (approximately two year and eight months); and authorize final payment to the contractor. (Robinson)
- h) Award [Contract No. WW-725](#), Various Locations Sewer Replacement No. 14, to the responsible bidder that submitted the lowest responsive bid, JDB & Sons Construction, Inc., in the amount of \$7,987,500 and with a duration of 492 consecutive calendar days (approximately one year and four months), to replace/line existing sewers on specified streets in the City and County of San Francisco. This action constitutes the Approval Action for the Project for the purposes of the California Environmental Quality Act (CEQA) pursuant to Section 31.04(h) of the San Francisco Administrative Code. The Planning Department has determined that this action is exempt from the CEQA. If the item is approved, the Commission will rely on that determination to make its decision. (Robinson)
- i) Award [Contract No. WW-738](#), East SOMA Sewer Improvements, to the responsible bidder that submitted the lowest responsive bid, NTK Construction, Inc., in the amount \$10,802,800 with a duration of 425 consecutive calendar days (approximately one year and two months), to rehabilitate and replace large diameter sewers and laterals on specified streets within the City and County of San Francisco. This action constitutes the Approval Action for the Project for the purposes of the California Environmental Quality Act (CEQA), pursuant to San Francisco Administrative Code section 31.04(h). The Planning Department has determined that the Project is exempt from the CEQA. The Commission will rely on that determination to make its decision on this action. (Robinson)
- j) Award [Contract No. WW-748](#), As-Needed Spot Sewer Replacement No. 45, to the responsible bidder that submitted the lowest responsive bid, J. Flores Construction Company, Inc., in the amount of \$9,881,978, with a duration of 400 consecutive calendar days

(approximately one year and one month), to replace sections of existing sewer pipe on an as-needed basis at locations that staff will determine throughout the City and County of San Francisco. (Robinson)

REGULAR CALENDAR

7. Public Hearing to consider and possible action to approve the scope, schedule, and budget of the [March 2024 Proposed Revised Water System Improvement Program](#); and direct staff to send a Notice of Change Report to the State Water Resources Control Board and the Alfred E. Alquist Seismic Safety Commission in compliance with California Water Code Section 73500, et seq. (Robinson)
8. Public Hearing to consider and approve the [Water Miscellaneous Fee schedule](#), which includes the revision of existing fees, elimination of certain fees, and adoption of new fees and charges related to the provision of water service within and outside the City and County of San Francisco. If approved, the proposed fees will become effective July 1, 2024 and will remain effective until revised. This action constitutes the Approval Action for the Project for the purposes of the California Environmental Quality Act (CEQA), pursuant to San Francisco Administrative Code section 31.04(h). The Planning Department has determined that the Project is exempt from the CEQA. The Commission will rely on that determination to make its decision on this action. (Hom)
9. Public Hearing to consider and approve the [Wastewater Miscellaneous Fee schedule](#), which includes the revision of existing fees and the adoption of new fees and charges related to the provision of sewer services within the City and County of San Francisco. If approved, the proposed fees will become effective July 1, 2024 and will remain effective until revised. This action constitutes the Approval Action for the Project for the purposes of the California Environmental Quality Act (CEQA), pursuant to San Francisco Administrative Code section 31.04(h). The Planning Department has determined that the Project is exempt from the CEQA. The Commission will rely on that determination to make its decision on this action. (Hom)
10. Approve the terms and conditions and authorize the General Manager to execute a [Purchase and Sale Agreement and Easement Deed](#) with San Mateo County Flood and Sea Level Rise Resiliency District for the acquisition of a 1,386-square-foot easement for an aerial water pipeline crossing and associated footings and braces across a portion of San Mateo County Assessor's Parcel No. 011-322-200 for \$70,000, subject to Board of Supervisors' and Mayor's approval. (Flynn)
11. Approve modification of the [Green Infrastructure Grant Program Guidelines](#) to raise the maximum cost per acre of impervious surface area managed by grant-funded projects from \$930,000 to \$1,035,000 and the maximum grant award per project from \$2,000,000 to \$2,500,000 to account for inflation; revise funding disbursement requirements for City Departments only; and revise program eligibility criteria and other program requirements. (Prather)
12. Discussion and possible action on the process to recruit and select a new Commission Secretary. (Paulson)

13. Communications (information only)
 - a) [Advance Calendar](#)
 - b) [Contract Advertisement Report](#)
 - c) [Correspondence Log](#)
 - d) [Declaration of Emergency WD-2924\(E\) Pine Lake Emergency Slope Restoration](#)
 - e) [Water Supply Conditions Update](#)
14. Items initiated by Commissioners (discussion only)
15. Public Comment on the matters to be addressed during Closed Session
16. Motion on whether to assert the attorney-client privilege regarding the matters listed below

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

CLOSED SESSION

17. CONFERENCE WITH LEGAL COUNSEL regarding existing litigation (Government Code §54956.9(d)(1), San Francisco Administrative Code §67.10(d)(1)):

Michael Christopher Daniel v. Emrulkayes Akter, et al
Contra Costa County Superior Court Case No.: CGC-23-00311
Date Filed: May 23, 2022

Proposed authority under Code of Civil Procedure Section 998 to offer settlement of a personal injury claim with the City and County of San Francisco to pay Michael Daniel \$350,000, subject to approval by the Board of Supervisors. (action item) (Bregman)

18. CONFERENCE WITH LEGAL COUNSEL regarding existing litigation (Government Code §54956.9(d)(1), San Francisco Administrative Code §67.10(d)(1)):

Jason Shaw v. City and County of San Francisco
Unlitigated File No.: 24-01033
Date Filed: December 7, 2023

Proposed settlement of unlitigated claim for property damage resulting from a water main rupture with the City to pay Jason Shaw \$33,384.31 in exchange for a full and final release, subject to final approval by the Board of Supervisors. (action item) (Bregman)

19. CONFERENCE WITH LEGAL COUNSEL regarding existing litigation (Government Code §54956.9(d)(1), San Francisco Administrative Code §67.10(d)(1)):

Proposed settlements of unlitigated claims for property damage resulting from the September 10, 2023 break of a water transmission pipeline at the intersection of Fillmore and Green Streets, with the City to pay the claimants the settlement amounts as listed below, each in exchange for a full and final release. This approval is final under the delegated authority granted by the Board of Supervisors (Ordinance No. 20-24 (File No. 231273)). (action item) (Bregman)

Claim No.	Date Filed	Claimant	Proposed Settlement Amount
24-00645	October 6, 2023	Bamboo Wellness, Inc.	\$55,000.00
24-00678	October 24, 2023	Bradley David Alexander	\$95,000.00
24-0827	November 2, 2023	Farzaneh Fariba	\$30,000.00

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))

Update on existing litigation matters related to the December 31, 2022 storm: Rivas, et al. v. City & County of San Francisco, et al. (San Francisco Superior Court Case No. CGC-23-607963), date filed 7/28/2023; Everest Nat'l Ins. Co. v. City & County of San Francisco, et al. (San Francisco Superior Court Case No. CGC-23-608016), date filed 7/31/2023; Armstrong, et al. v. City & County of San Francisco, et al. (San Francisco Superior Court Case No. CGC-23-608635), date filed 8/24/2023; Alioto et al. v. City & County of San Francisco, et al. (San Francisco Superior Court Case No. CGC-23-608652), date filed 8/24/2023; Cincinnati Ins. Co. a/s/o Ron Conway v. City & County of San Francisco et al. (San Francisco Superior Court Case No. CGC-24-611633), date filed 1/12/2024; Sullivan v. City & County of San Francisco et al. (San Francisco Superior Court Case No. CGC-24-613193), date filed 3/18/2024. (Discussion Only) (Bregman/Kus)

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)):

Various unlitigated regulatory claims regarding San Francisco's combined sewer system operations. (Discussion Only) (Bregman/Kus)

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. Adjournment

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