



SAN FRANCISCO PUBLIC UTILITIES COMMISSION

City and County of San Francisco

London N. Breed

Mayor

REGULAR MEETING AGENDA

Tuesday, August 10, 2021

1:30 P.M.

This meeting is being held by Teleconference Pursuant to the Governor's Executive Order N-29-20 and the Twelfth Supplement to Mayoral Proclamation Declaring the Existence of a Local Emergency Dated February 25, 2020

WATCH LIVE:

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

PUBLIC COMMENT CALL-IN:

1 (415) 655-0001 / MEETING ID: 146 864 4853 # #

During the Coronavirus Disease (COVID-19) emergency, the San Francisco Public Utilities Commission's (SFPUC) regular meeting room, City Hall, Room 400, is closed. Commissioners and SFPUC staff will convene Commission meetings remotely by teleconference.

Commissioners

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

Michael Carlin

Acting 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@sfgov.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 sof@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” “ช” “โดยไม้อ” “ส” “คาไซจ” “าย / Libreng tulong para sa wikang Tagalog ยช่วยเหลือ

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. Approval of the Minutes
 - a) [July 27, 2021 Regular Meeting](#)
 - b) [August 4, 2021 Special Meeting](#)
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. Communications (discussion only)
 - a) [Advance Calendar](#)
 - b) [Correspondence Log](#)
 - c) [Contract Advertisement Report](#)
 - d) [Proposed SFPUC Prescribed Burn Project Initial Study-Mitigated Negative Declaration](#)
 - e) [Revised Declaration of Emergency – Replacement and Repair of Fences Damaged in the SCU Lightning Complex Fire](#)
 - f) [Sponsor Outreach for CleanPowerSF's Community Solar Green Tariff Program](#)
 - g) [2009 Water Supply Agreement Update](#)
 - h) [Water Supply Conditions Update](#)
6. Report of the General Manager (discussion only)
 - a) State of California's Disadvantaged Communities Green Tariff and Community Solar Initiatives
 - b) Update on SFPUC Operations During COVID-19 Emergency
 - c) Report on Recent San Francisco Public Utilities Commission Activities, Events and Announcements
7. New Commission Business (discussion only)

CONSENT CALENDAR

8. *All matters listed hereunder constitute a Consent Calendar are considered 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. 1 to [Agreement No. CS-1098](#), Bay Area Regional Qualified Water Efficient Landscaper (QWEL) Training Program with the Solano County Water Agency, Alameda County Water District, Bay Area Water Supply and Conservation Agency, City of Napa, Contra Costa Water District, East Bay Municipal Utility District, Santa Clara Valley Water District, Sonoma County Water Agency, and Zone 7 Water Agency regarding QWEL training program

administration; and authorize the General Manager to execute this amendment, increasing the contract duration by one year, for a total agreement duration of three years, with no change to the agreement amount. (Ritchie)

- b) Approve the plans and specifications, and award [Contract No. WD-2880R](#), Warehouse Office Suite Renovation, 1990 Newcomb Avenue, San Francisco, in the amount of \$1,328,039, with a duration of 360 consecutive calendar days (approximately one year), to the responsible bidder submitting the lowest responsive bid, Galleria Inc., DBA Trico Construction. (Ritchie)
- c) Accept work performed by JMB Construction, Inc. for [Contract No. WW-674R](#), Geary Boulevard Sewer and Water Improvements; approve Modification No. 2 (final) decreasing the contract amount by \$494,459, for a total contract amount of \$16,486,907, and increasing the contract duration by 55 consecutive calendar days, for a total contract duration of 750 consecutive calendar days (approximately two years and one month); and authorize final payment to the contractor. (Johanson)
- d) Approve the plans and specifications, and award [Contract No. WW-713](#), As-Needed Main Sewer Replacement No. 9 in the amount of \$7,127,740, and with a duration of 365 consecutive calendar days to the responsible bidder submitting the lowest responsive bid, D'Arcy & Harty Construction, Inc., to perform as-needed manhole-to-manhole segment main sewer replacements on short notice in locations to be determined throughout San Francisco. (Johanson)

REGULAR CALENDAR

- 9. Approve Amendment No. 3 to [Agreement No. PRO.0101](#), Tunnel Engineering Services for the Folsom Area Stormwater Improvement Project with McMillen Jacobs Associates/Stantec, Joint Venture; and authorize the General Manager to execute Amendment No. 3, extending the agreement duration by 19 months (one year, seven months), for a total agreement duration of 55 months (four years, seven months), with no change to the agreement amount. (Johanson)
- 10. Public comment on matters to be addressed during Closed Session
- 11. 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:

CLOSED SESSION

- 12. Pursuant to Government Code Section 54957(b) and San Francisco Administrative Code Section 67.10(b), to consider public employee appointment/hiring for the position of General Manager of the San Francisco Public Utilities Commission; and Pursuant to Government Code Sections 54954.5(f) and 54957.6, and San Francisco Administrative Code Section 67.8(a)(5).

Conference with Labor Negotiator, Unrepresented Employee

City Negotiator
Commission President Sophie Maxwell

Unrepresented Employee
General Manager, San Francisco Public Utilities Commission

Anticipated issues under negotiation:

- Wages
- Hours
- Benefits
- Working conditions
- Other

13. Conference with Legal Counsel – Pursuant to California Government Code Section 54965.9 (d)(1) and San Francisco Administrative Code Section 67.10 (d)(1)
Existing Litigation (Roddy)

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

Tuolumne Superior Court Case No. CV62094/Date Filed: January 10, 2019

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

14. Conference with Legal Counsel – Pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1) (Mueller)

Conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the City is a petitioner and Pacific Gas & Electric Company is an adverse party: In re: PG&E Corporation and Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 9-30088-DM, filed January 29, 2019; Federal Energy Regulatory Commission Case No. EL 19-38- 000, filed January 28, 2019; Federal Energy Regulatory Commission Case No. ER18- 1482-000, filed April 30, 2018; Federal Energy Regulatory Commission Case No. ER18-1102-000, filed March 15, 2018; Federal Energy Regulatory Commission Case No. ER18-790-000, filed, February 2, 2018; Federal Energy Regulatory Commission Case No. ER18-768-000, filed January 31, 2018; Federal Energy Regulatory Commission Case No. ER18-198-000, filed October 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2406-000, filed August 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2181-000, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2204, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-1509-000, filed May 1, 2017; Federal Energy Regulatory Commission Case No. ER17-910-000, filed January 31, 2017; Federal Energy Regulatory Commission Case No. EL 15-3-000, filed October 10, 2014; Federal Energy Regulatory Commission Case No. ER15-702-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-703- 000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-704-000, filed December

23, 2014; Federal Energy Regulatory Commission Case No. ER15-705-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-735-000, filed December 23, 2014; California Public Utilities Commission Case No. 1.15-08-019, filed February 25, 2015; California Public Utilities Commission Case No. R.18-10-007, filed October 25, 2018; California Public Utilities Commission Case No. R.19-01-006, filed January 10, 2019; and California Public Utilities Commission Case No. R.19-09-016, filed January 10, 2019.

Following Closed Session, the Commission will reconvene in Open Session

15. Announcement following Closed Session.
16. Motion regarding whether to disclose the discussions during Closed Session pursuant to San Francisco Administrative Code Section 67.12(a)

Adjournment

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