



SAN FRANCISCO PUBLIC UTILITIES COMMISSION

City and County of San Francisco

London N. Breed

Mayor

REGULAR MEETING AGENDA

Tuesday, August 24, 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: 146 355 9001 # #

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 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. Approval of the Minutes
 - a) [August 10, 2021 Regular Meeting](#)
 - b) [August 19, 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) [Regional Groundwater Storage and Recovery - Well Corrosion Protection](#)
 - e) [Water System Improvement Program Status of Construction Change Orders](#)
 - f) [Water Supply Conditions Update](#)
6. Bay Area Water Supply and Conservation Agency Update (discussion only) (Sandkulla)
7. Report of the General Manager (discussion only)
 - a) [Water Enterprise Capital Improvement Program Quarterly Report](#)
 - b) [Water System Improvement Program Quarterly Report](#)
 - c) Report on Recent San Francisco Public Utilities Commission Activities, Events and Announcements
8. Status of Water Supply, Hydropower Generation, and Tuolumne River Flows (discussion only) (Ritchie)
9. New Commission Business (discussion only)

REGULAR CALENDAR

10. Accept work performed by Mitchell Engineering for [Contract No. WD-2719](#), 8-Inch Ductile Iron Pipe and 12-Inch Earthquake Resistant Ductile Iron Pipe Water Main Installation on 22nd Street from Fair Oaks Street to Hampshire Street, for a total contract amount of \$3,891,080 and with a total contract duration of 676 consecutive calendar days (approximately one year and 10 months); and authorize final payment to the contractor. (Johanson)
11. Authorize the General Manager to execute [Amendment No. 3 to the Multi-Party Cost Share Agreement](#) with Contra Costa Water District, Alameda County Flood Control and Water Conservation District, Zone 7, Alameda County Water District, East Bay Municipal Utility District, Grassland Water District, San Luis & Delta-Mendota Water Authority, and Valley Water for planning of the potential expansion of the Los

Vaqueros Reservoir, extending the agreement duration by up to one year, until December 31, 2022, for a total duration of 44 months (three years and eight months), and increasing the total agreement amount by up to \$6,279,848 to be divided equally among the project partners, with the SFPUC's additional financial contribution not-to-exceed \$897,121 for a total SFPUC contribution not to exceed \$2,264,911.

(Ritchie)

12. Authorize the General Manager to execute the [Los Vaqueros Reservoir Expansion Joint Exercise of Powers Agreement](#) with Contra Costa Water District, Alameda County Flood Control and Water Conservation District Zone 7, Alameda County Water District, East Bay Municipal Utility District, Grassland Water District, San Luis & Delta-Mendota Water Authority, and Valley Water creating a new Joint Powers Authority to govern the design, construction, future operation, and administration of the Los Vaqueros Reservoir Expansion Project; and designate and appoint the General Manager to serve on the Board of Directors of the Joint Powers Authority on behalf of the San Francisco Public Utilities Commission, and the Assistant General Manager for Water as the alternate Director. (Ritchie)
13. Approve the responses of the San Francisco Public Utilities Commission to the relevant findings and recommendations of the June 29, 2021 [Civil Grand Jury Report entitled, "A Fluid Concern: San Francisco Must Improve Fuel Resilience"](#); and authorize and direct the Commission President to submit the responses to the Civil Grand Jury no later than August 28, 2021. (Carlin)
14. Approve the responses of the San Francisco Public Utilities Commission to the relevant findings and recommendations of the June 28, 2021 [Civil Grand Jury Report entitled, "Van Ness Avenue: What Lies Beneath"](#); and authorize and direct the Commission President to submit the responses to the Civil Grand Jury no later than August 27, 2021. (Carlin)
15. Approve the [Water Supply Assessment for the proposed 490 Brannan Project](#) located at the corner of 4th and Brannan Streets (Lot 025 in Assessor's Block 3776), pursuant to the State of California Water Code Section 10910 et seq., California Environmental Quality Act (CEQA) Section 21151.9, and CEQA Guidelines Section 15155. (Ritchie)
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 items:

CLOSED SESSION

18. 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 Sections 67.8(a)(5) and Section 67.10(e)(1).

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

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) (action item) (Sheinfield)

Existing Litigation

David Alfaro, et al. v. City and County of San Francisco

San Francisco Superior Court No. CGC-15-547492

Date Filed: August 20, 2015

Proposed Settlement of Action as To Diminution in Value Claims of 12 Plaintiffs; Attorney's Fees and Interest Remain In Litigation arising out of December 2014 stormwater flooding: (1) Baikonur 1701 LLC (\$410,000), (2) 2170 Folsom LLC (\$525,000), (3) Angela Sinicropi and Marin Takigawa (\$288,1800), (4) Chris Hickey (\$1,150,000), (5) Monte Stott (\$188,300), (6) Francis and Julio Osorio (\$225,000), (7) John and Janice Gumas (\$225,000), (8) Kwon Shing Import Export, Inc. (\$440,000), (9) Hans Art dba Hans Art Automotive (\$500,000), (10) Malcom Davis (\$215,000), (11) Malcom Davis (\$470,000), (12) San Francisco Motorcycle Club (\$310,000)

20. Conference with Legal Counsel – Pursuant to California Government Code Section 54965.9 (d)(1) and San Francisco Administrative Code Section 67.10 (d)(1) (Gessner)

Existing Litigation

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

Following Closed Session, the Commission will reconvene in Open Session

21. Announcement following Closed Session.

22. Motion regarding whether to disclose the discussions during Closed Session pursuant

to San Francisco Administrative Code Section 67.12(a)

23. Adjournment

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