



**SAN FRANCISCO PUBLIC UTILITIES COMMISSION**  
City and County of San Francisco

**London N. Breed**  
Mayor

**REGULAR MEETING AGENDA**  
**Tuesday, February 23, 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: 146 350 2017 # #**

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](mailto: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 <http://www.sfgov.org/index.aspx?page=167>.

**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](mailto: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 / ความช่วยเหลือทางภาษาโดยไม่มีค่าบริการ / Libreng tulong para sa wikang Tagalog ยะหลอจ็

**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. Public comment on matters to be addressed during Closed Session
4. 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

5. THREAT TO PUBLIC SERVICES OR FACILITIES – San Francisco Administrative Code Section. 67.10(a) and Cal. Govt. Code § 54954.5(e). San Francisco Deputy Police Chief Greg Yee and Gary Price, Director of IT Architecture, Operations and Safety, San Francisco Police Department (discussion only)
6. CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation as Petitioner per California Government Code 54956.9(d)(4) and S.F. Admin Code 67.10(d)(2) (discussion only) (Whipps)
7. CONFERENCE WITH LEGAL COUNSEL – Pursuant to California Government Code, Section 54956.9(d)(2), and San Francisco Administrative Code, Section 67.10(d)(1) (Gessner)

#### Unlitigated Claim

Sharon Eastman v. City and County of San Francisco

Unlitigated File No.: 18-03043

Date Filed: 06/20/2018

Proposed settlement with City to pay claimant \$99,000 and claimant to release all claims.

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

9. Announcement following Closed Session
10. Motion regarding whether to disclose the discussions during Closed Session pursuant to San Francisco Administrative Code Section 67.12(a)
11. Approval of the Minutes of [February 5, 2021 Special Meeting](#) and [February 9, 2021 Regular Meeting](#)
12. 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*
13. Communications (discussion only)
  - a) [Advance Calendar](#)
  - b) [Contract Advertisement Report](#)
  - c) [Correspondence Log](#)
  - d) [Sewer Inspection and Replacement Program Update](#)
  - e) [Water Supply Conditions Update](#)
14. Presentation by KPMG LLP, of the [Audited Financial Statements](#) of SFPUC enterprises for FY 2019-20, detailing and summarizing the audit process, test work and audit options for the Water Enterprise, Wastewater Enterprise, and Hetch Hetchy Water & Power Enterprise, including CleanPowerSF. (Sandler/Avis)
15. Presentation by the City's [Department of Human Resources](#) (DHR) of the four highest scoring respondents to DHR's informal solicitation from a pre-qualified pool for a firm to recruit candidates for the SFPUC General Manager, and possible action by the Commission to select a recruiting firm and authorize DHR to engage the selected firm to

perform the recruitment for an amount not-to-exceed \$100,000 and a duration of not-to-exceed one year. (Howard)

16. Report of the General Manager (discussion only)

- a) [Quarterly Audit and Performance Review Report](#)
- b) [Quarterly Budget Status Report](#)
- c) Update on December 2018 Bay Delta Plan Amendment and Voluntary Agreement Negotiations with the State
- d) Report on Recent San Francisco Public Utilities Commission Activities, Events and Announcements

17. New Commission Business (discussion only)

### CONSENT CALENDAR

18. *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 award of a [five-year lease to Dorian 230](#), Inc., a California corporation, with a financial guarantee by affiliate Harman Management Corporation, a Utah corporation, for use of an approximately 2,848 square-foot restaurant building plus common areas at 950 El Camino Real, in Millbrae, California, at an initial annual Base Rent of \$129,600 (\$10,800 per month). The proposed lease includes two one-year conditional options to extend the lease term, for a total potential lease term of seven years and total potential revenue of \$952,991. (Carlin)
- b) Approve Amendment No. 1 to [Agreement No. PRO.0049](#), High Efficiency Toilet Direct Install Program, with Bottom Line Utility Solutions, to provide replacement of inefficient toilets and other plumbing devices with high-efficiency models for residential customers in the San Francisco Public Utilities Commission's retail service area; and authorize the General Manager to execute this amendment, increasing the agreement duration by four years, for a total duration of eight years, with no change to the agreement amount. (Ritchie)

### REGULAR CALENDAR

19. Adopt revisions to the San Francisco Public Utilities Commission [Contract Delegation Matrix](#) previously adopted by the Commission in 2009 per Resolution No. 09-0017 (1) delegating authority to the General Manager to directly award, execute, and amend certain types of contracts, grants, and other agreements, and (2) establishing rules for which types of Commission actions on contracts, grants and other agreements are heard on the Commission's Consent Calendar versus the Regular Calendar. (How)

20. Authorize the General Manager to execute a “[Pilot Project Memorandum of Understanding](#)” with the Modesto Irrigation District (MID), Turlock Irrigation District (TID), and United States Fish and Wildlife Service regarding the parties’ intention for cooperation and funding of early implementation of habitat improvement projects on the lower Tuolumne River prior to issuance of a new Federal Energy Regulatory Commission license for the Don Pedro Project and an original license for the La Grange Project; and delegate authority to the General Manager to negotiate and enter into a separate agreement with MID and TID in an amount not-to-exceed \$1,500,000 to fund planning and design only of potential habitat improvement projects and return to Commission following completion of environmental review for potential authorization to construct any such projects. (Ritchie)
21. Approve the General Manager’s February 8, 2021 determination under San Francisco Administrative Code Section 6.23(c)(1) that neither further outreach efforts nor removal or modification of certain requirements in the contract would likely result in contractors submitting responsive bids for [Contract No. DB-121R2](#), Moccasin Powerhouse Generator Rehabilitation Project, and authorize the General Manager to negotiate an agreement with any qualified firm(s), and if such negotiations are successful, to return to Commission for authority execute such agreement. (How)
22. Authorize the General Manager to execute a [Project Partnership Agreement](#) with the Army Corps of Engineers for the construction of the Ocean Beach Beneficial Use of Dredged Materials Project to place sand dredged from the San Francisco Main Shipping Channel against the bluff along a 3,000-foot stretch of Ocean Beach south of Sloat Boulevard, for an amount not-to-exceed \$2,800,000 and a duration of two years. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code. (Carlin)
23. Approve the plans and specifications, and award [Contract No. WW-645R](#), Westside Pump Station Reliability Improvements, in the amount of \$48,328,300, with a duration of 1,020 consecutive calendar days (approximately two years and 10 months), to the responsible bidder that submitted the lowest responsive bid, Anvil Builders, Inc., to provide redundant electrical power service feeds, replacement of essential wastewater process mechanical and electrical equipment, ancillary structural, ventilation, plumbing and instrumentation and control improvements, as well as construction of a new electrical building. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code. (How)
24. Adjournment

San Francisco Public Utilities Commission  
525 Golden Gate Avenue, 13<sup>TH</sup> Floor  
San Francisco, CA 94102