



SAN FRANCISCO PUBLIC UTILITIES COMMISSION
City and County of San Francisco

London N. Breed
Mayor



REGULAR MEETING AGENDA
Tuesday, February 28, 2023
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: 2496 220 4756

Ensure you are in a quiet location
Speak clearly and turn off background sounds (television, phones, radios)
Wait for the item you would like to address to be called. When prompted, press *3 to be added to the queue
The system will notify you when you are in line

Commissioners

Newsha Ajami, President
Sophie Maxwell, Vice President
Tim Paulson
Tony Rivera
Kate Stacy

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 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 ฟรี “โดยไม่ว່ส่ยกค่าใช้จ่าย / 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 of February 14, 2023](#)
4. Report of the General Manager (discussion only)
 - a) [Drought Conditions Update](#)
 - b) [Quarterly Audit and Performance Review Report](#)
 - c) [Quarterly Budget Status Report](#)
 - d) [San Francisco Public Utilities Commission Hiring Process Overview](#)
 - e) Report on Recent San Francisco Public Utilities Commission Activities, Events and Announcements
5. Bay Area Water Supply and Conservation Agency Update (discussion only) (Sandkulla)
6. **CONSENT CALENDAR**
 - a) Approve Modification No. 1 to [Job Order Contract, JOC-87](#), General Engineering (A License) Construction, San Joaquin, Stanislaus, and Tuolumne Counties, Hetch Hetchy, with Sinclair General Engineering Construction, Inc., to complete ongoing facility and asset improvements, increasing the contract by \$2,500,000, for a total not-to-exceed contract amount of \$7,500,000, with no change to contract duration. (Robinson)
 - b) Award [Job Order Contract No. JOC-91](#), General Engineering (A License) Construction, San Francisco, San Mateo, Santa Clara, and Alameda Counties, for a total contract amount not-to-exceed \$5,000,000 with a minimum guaranteed opportunity amount of \$50,000 and a duration of two years, to the responsible bidder that submitted the lowest responsive bid, R&S Construction Management, Inc., to perform general engineering work in San Francisco Public Utilities Commission systems and operations around the Bay Area. (Robinson)
 - c) Approve an increase of \$180,000 to the contract cost contingency, and an increase of 180 calendar days (approximately six months) to the contract duration contingency, for [Contract No. WW-675](#), 5th/18th/Upper Larkin Street Sewer Inspection; and authorize the General Manager to approve future modifications to the contract for a total contract amount of up to \$2,378,170 and a total contract duration of up to 345 consecutive calendar days. Staff seeks the increase in cost contingency to perform an additional half mile of sewer and lateral inspections. The increase in duration contingency is needed to perform the additional sewer and lateral inspections and to complete post-processing videos coding, quality control, and to allow time for the City's review and approval process. (Robinson)
 - d) Approve an increase of 34 consecutive calendar days to the contract duration contingency for [Contract No. WW-699](#), As-Needed Spot Sewer Replacement No. 42, with J. Flores Construction Company, Inc.; and authorize the General Manager to approve future modifications to the contract for a total contract duration of up to 474 consecutive calendar days (approximately one year and four months), with no change to contract amount to allow for additional days to complete all issued Contract Service Order work which the crews were

unable to perform due to the rainy weather in December 2022 and January 2023.

(Robinson)

REGULAR CALENDAR

7. Approve modifications to the San Francisco Public Utilities Commission [Floodwater Management Grant Assistance Program Grant Requirements and Terms](#) to increase the SFPUC cost share to 100%, incorporate administrative cleanup edits, and authorize the General Manager of the SFPUC or the General Manager's designee to execute Grant Agreements under the modified Grant Program. (Norby)
8. Approve the [Minimum Water Purchase Transfer Agreement](#), dated May 24, 2022, between the City of East Palo Alto and the City of Mountain View to allow a retroactive permanent transfer of up to 1.0 million gallons per day (MGD) of Mountain View's Minimum Annual Purchase Quantity to East Palo Alto, following the 2017 permanent transfer of 1.0 MGD of Mountain View's Individual Supply Guarantee to East Palo Alto, under the terms of the 2021 Amended and Restated Water Supply Agreement between the City and County of San Francisco and Wholesale Customers in Alameda County, San Mateo County, and Santa Clara County (WSA); and authorize the General Manager to amend the WSA to reflect the effects of that Minimum Annual Purchase Quantity transfer. (Ritchie)
9. Communications (information only)
 - a) [Advance Calendar](#)
 - b) [Contract Advertisement Report](#)
 - c) [Correspondence Log](#)
10. 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.
11. Items initiated by Commissioners (discussion only)
12. Public comment on the matters to be addressed during Closed Session.
13. 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

14. CONFERENCE WITH LEGAL COUNSEL regarding existing litigation (Government Code §54956.9, Administrative Code §67.10(d)(1)): (action item) (Bregman)

Joseph Goldmark v. City and County of San Francisco (Unlitigated File No. 23-00786), filed November 29, 2022.

Proposed settlement of an unlitigated claim for property damage resulting from a ruptured water main with the City to pay Joseph Goldmark \$35,000.00 in exchange for a full and final release, subject to

approval by the Board of Supervisors.

15. CONFERENCE WITH LEGAL COUNSEL regarding existing litigation (Government Code §54956.9, Administrative Code §67.10(d)(1)): (action item) (Bregman)

Michael Gwilliam v. City and County of San Francisco (Unlitigated File No. 23-00546), filed October 14, 2022.

Proposed settlement of an unlitigated claim for property damage resulting from a ruptured water main with the City to pay Michael Gwilliam \$38,350.00 in exchange for a full and final release, subject to approval by the Board of Supervisors.

Following Closed Session, the Commission will reconvene in Open Session

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

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