



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

**London N. Breed**  
Mayor

**REGULAR MEETING AGENDA**  
**Tuesday, February 8, 2022**  
**1:30 P.M.**

This meeting is being held by Teleconference Pursuant to the Governor's Executive Order N-29-20 and the Twelfth and Forty-First Supplements 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: 2490 320 3434 # #**

**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**

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


**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@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 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](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 / ความช่วยเหลือ “กงกษ” โดยไม่ค้ส่ย์ค่าใช้จ่าย / 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](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. Adopt renewed findings under [State Urgency Legislation](#) to continue to allow remote meetings during the COVID-19 Emergency; continue remote meetings for the next 30 days; and direct the Commission Secretary to agendize a similar resolution at a Commission Meeting within the next 30 days.
4. Approval of the Minutes
  - a) [January 14, 2022 Special Budget Meeting #2](#)
  - b) [January 20, 2022 Special Budget Meeting #3](#)
  - c) [January 25, 2022 Regular Meeting](#)
5. 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*
6. Communications (discussion only)
  - a) [Advance Calendar](#)
  - b) [Contract Advertisement Report](#)
  - c) [Correspondence Log](#)
  - d) [2009 Water Supply Agreement Update](#)
  - e) [Annual Report on Dry Year Supply Progress Pursuant to AB1823](#)
  - f) [FY 2023 and 2024 Information Technology Projects and 2022 Technology Report](#)
7. Report of the General Manager (discussion only)
  - a) [Drought Conditions Update](#)
  - b) Report on Recent San Francisco Public Utilities Commission Activities, Events and Announcements
8. New Commission Business (discussion only)
9. **CONSENT CALENDAR**
  - a) Approve the plans and specifications and award [Agreement No. WD-2882](#), Trousdale Oaks Tree Removal Project, in the amount of \$2,655,026 and with a duration of 545 consecutive calendar days (approximately one year and six months), to the responsible bidder submitting the lowest responsive bid, The Professional Tree Care Company. (Johanson)
  - b) [Ratify correction to Resolution No. 21-0082](#) approved on May 25, 2021 to accept closeout with modification for work performed by Yerba Buena Engineering and Construction, Inc., for **Contract No. WW-607**, Ocean Beach Immediate Action Plan As-Needed, to state that Modification No.1 (Final), decreased the contract amount by \$753,973, not \$759,973, for a total contract amount of \$1,228,277, not \$1,222,277, with no change to the contract duration. (Johanson)

- c) Approve the plans and specifications, and award [Agreement No. WW-648](#), Oceanside Water Pollution Control Plant Building 042 Primary Clarifier Improvements, in the amount of \$6,490,014, and with a duration of 820 consecutive calendar days (approximately two years and three months), to the responsible bidder that submitted the lowest responsive bid, Cal State Constructors, Inc., to selectively replace primary clarifier process equipment such as helical scum skimmers, scum skimmer spray water system, and primary effluent pneumatic operated butterfly valves and mechanical, plumbing, electrical, instrumentation & controls and associated process appurtenances at the Oceanside Water Pollution Control Plant. (Johanson)

## REGULAR CALENDAR

10. Approve an increase of \$2,250,000 to the contract cost contingency, and an increase of 180 consecutive calendar days to the contract duration contingency for [Contract No. WW-712](#), New Montgomery, Jessie, Minna, and Mission Street Brick Sewer Rehabilitation, with D'Arcy & Harty Construction, Inc; authorize the General Manager to approve future modifications to the contract for a total contract amount of up to \$7,627,625 and a total contract duration of up to 609 consecutive calendar days (approximately one year and eight months); and approve the addition of brick sewer rehabilitation in locations North of Market Street (bounded by Mason, Jones, Eddy, and McAllister Streets) within the proposed increased contingencies. This action constitutes the Approval Action for the additional work 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. (Johanson)
11. Approve the plans and specifications and award [Contract No. WW-718R](#), Wastewater Enterprise Elevator Maintenance, Repair, and Modernization 2021-2024, in the amount of \$2,136,677, and with a duration of 1,125 consecutive calendar days (approximately three years), to the responsible bidder that submitted the lowest responsive bid, Star Elevator, Inc., to service and maintain all Wastewater Enterprise and Southeast Community Center elevators. (Norby)
12. Award five [Master As-Needed Tree Services Contracts: WD-2860R2.A; WD-2860R2.B; WD-2860R2.C; WD-2860R2.D; and WD-2860R2.E](#), each with a not-to-exceed contract amount of \$10,000,000 and with a duration of 1,826 consecutive calendar days (five years), to the five highest scoring responsible firms submitting a responsive application: (A) Anvil Builders, Inc., (B) Arborist Now, Inc., (C) Capax Group, Inc., (D) The Professional Tree Care Co., and (E) West Coast Arborists, Inc., to improve safety and reduce fire risk by providing as-needed tree removal and maintenance services on short notice at locations within or near the City and County of San Francisco and other San Francisco Public Utilities Commission (SFPUC) Lands; and authorize a combined spending authority of \$10,000,000. (Ritchie)
13. Authorize the General Manager to execute a [Memorandum of Understanding with the San Francisco Municipal Transportation Agency](#) (SFMTA) to set forth the agencies' respective responsibilities, including cost sharing allocations, to jointly

replace the San Francisco Public Utilities Commission's water and sewer facilities and/or relocate them away from the new railway tracks along Taraval Street, from Sunset Boulevard to West Portal, as part of the SFMTA's construction of Segment B of the L-Taraval Transit Improvement Project – Sunset Boulevard to West Portal, for a total estimated cost to the SFPUC of \$33,760,678. (Johanson)

14. Public Hearing to consider and possible action to adopt the San Francisco Public Utilities Commission (SFPUC) (1) [Biennial Operating Budget](#) including the Revenue Transfer for Capital in the amount of \$1,617,986,151 for FY 2022-23 and \$1,666,250,585 for FY 2023-24, and (2) **Biennial Programmatic Project Budget** in the amount of \$53,521,847 for FY 2022-23 and \$52,486,941 for FY 2023-24. (Herrera)

15. Public Hearing to consider and possible action to adopt the [FY 2022-23 Capital Budget](#) of the San Francisco Public Utilities Commission consisting of \$1,117,521,515; authorize the General Manager to seek Board of Supervisors approval for (1) de-appropriation and re-appropriation of \$38,331,660 in Water Capital Projects and (2) de-appropriation and re-appropriation \$41,158,347 in Wastewater Capital Projects; and authorize the General Manager to seek Board of Supervisors approval for the issuance of (1) \$129,653,767 aggregate principal amount of Water Revenue Bonds and other forms of indebtedness, including commercial paper and State Revolving Fund (SRF) loans, (2) \$704,198,901 aggregate principal amount of Wastewater Revenue Bonds and other forms of indebtedness, including commercial paper and SRF loans, and (3) \$140,889,875 aggregate principal amount of Power Revenue Bonds and other forms of indebtedness, including commercial paper and loans, subject to the terms of Charter Sections 9.107(6) and 9.107(8). (Herrera)

16. Public Hearing to consider and possible action to adopt the San Francisco Public Utilities Commission [10-Year Capital Plan](#) for FY 2022-23 through FY 2031-32 totaling \$9,893,091,608. (Herrera)

17. Public Hearing to consider and possible action to adopt the San Francisco Public Utilities Commission [10-Year Financial Plan](#) for FY 2022-23 through FY 2031-32. (Herrera)

18. Public comment on the matter to be addressed during Closed Session

19. Motion on whether to assert the attorney-client privilege regarding the matter listed below as Conference with Legal Counsel

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

### **CLOSED SESSION**

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) (action item) (Bregman)

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 Attorney's Fees, Costs and Interest Related to Resolution of Claims from Multiple Residential and Commercial Property Owner Lawsuits Regarding Flooding, in the amount of \$3,626,444.85. This is the final piece of a three-step settlement of the action. It resolves all claims for statutory costs, interest, and attorney's fees due to all Plaintiffs. The parties have previously, separately settled the personal and real property damage claims of all property owners and diminution in value claims of all property owners in this action. The proposed settlement completely resolves the litigation, subject to final approval by the Board of Supervisors.

*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  
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