



SAN FRANCISCO PUBLIC UTILITIES COMMISSION

City and County of San Francisco

London N. Breed

Mayor

REGULAR MEETING AGENDA

Tuesday, January 23, 2024

1:30 PM

1 Dr. Carlton B. Goodlett Place
City Hall, Room 400

Members of the San Francisco Public Utilities Commission (SFPUC) will attend this meeting in-person. Members of the public are invited to observe the meeting in-person or remotely by [watching live online](#)

Members of the public attending the meeting in person will have an opportunity to provide public comment on every action or discussion item. Remote public participation is available for individuals who cannot attend in person due to disability by making a request to the Commission Secretary by 12 PM (noon), the day before the Commission meeting at Commission@sfwater.org or 415-554-3165.

Members of the public are encouraged to provide public comment by email. Send an email to Commission@sfwater.org by 5 PM the day before the meeting to ensure your comment is received by the Commission in advance of the meeting. All comments received will be made part of the official record.

Commissioners

Tim Paulson, President

Anthony Rivera, Vice President

Sophie Maxwell

Newsha Ajami

Kate H. Stacy

Dennis J. Herrera

General Manager

Donna Hood

Commission Secretary

Accessible Meeting Policy: City Hall, Room 400 is wheelchair accessible. The meeting will be broadcast and captioned on SFGovTV. Remote public participation is available for individuals who cannot attend in person due to disability by making a request to the Commission Secretary by 12 PM (noon), the day before the Commission meeting at Commission@sfgov.org or 415-554-3165. Sign Language Interpretation is available upon request. If requesting Sign Language Interpretation, please submit an accommodation request a minimum of four business hours before the start of the meeting. Allowing a minimum of 48 business hours for all other accommodation requests (for example, all other auxiliary aids and services) helps ensure availability. To request accommodation, please contact the Commission Secretary at Commission@sfgov.org or 415-554-3165.

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 sotf@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 / “ങภ“ษ“โดยไมค้ ส่ยคไซจ ้าย / Libreng tulong para sa wikang Tagalog ยเหลือี

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 January 9, 2024](#)
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. Report of the General Manager (discussion only)
 - a) [San Francisco Public Utilities Commission Human Resources Update](#)
 - b) Report on Recent San Francisco Public Utilities Commission Activities, Events and Announcements
6. Bay Area Water Supply and Conservation Agency Update (discussion only) (Sandkulla)
7. **CONSENT CALENDAR**
 - a) Amend [Contract No. PRO.0164](#), Engineering Services for the Lower Alemany Area Stormwater Improvement Project with McMillen Jacobs Associates (dba Delve Underground) for additional field investigation and engineering services necessary to improve collection system capacity during wet weather months, increasing the Contract amount by \$2,000,000, for a new total Contract not-to-exceed amount of \$9,500,000, with no change to the Contract duration. (Robinson)
 - b) Approve an increase of 300 calendar days (approximately 10 months) to the contract duration contingency for [Contract No. WD-2797](#), San Francisco Westside Recycled Water Pump Station and Reservoir, with JMB Construction, resulting in a new contract duration limit of up to 1,814 consecutive calendar days (approximately five years), to allow for the completion of punch list work and any additional work items to meet the requirements of the PG&E service agreement, with no change to the Contract cost contingency. (Robinson)
 - c) Approve a 290-calendar-day increase to the construction duration contingency for [Contract No. WD-2878A](#), Regional Groundwater Storage and Recovery Phase 2A, with Marinship Development Interest LLC, for a new construction duration limit of up to 958 consecutive calendar days (approximately two years and eight months), with no change to the Contract amount, to allow for installation of the variable frequency drives that have been delayed, and are still awaiting delivery, due to supply chain issues. (Robinson)
 - d) Approve an increase of \$300,000 to the Contract cost contingency and an increase of 120 calendar days to the Contract duration contingency for [Contract No. WD-2907\(I\)](#), Sunol Valley Water Treatment Plant Generator Filter Upgrade with GSW Construction Inc., to provide funds for contractor procurement of an electrical load bank for a new Contract cost limit of up to \$1,210,030, and a new Contract duration limit of up to 813 consecutive calendar days (approximately two years and three months). (Robinson)

- e) Accept work performed by Yerba Buena Engineering & Construction, Inc. under [Contract No. WW-644](#), As-Needed Sewer Sealing; approve Modification No. 5 (Final), decreasing the Contract amount by \$841,532 for a total Contract amount of \$3,190,667, with a total Contract duration of 1,825 consecutive calendar days (approximately five years); and authorize final payment to the contractor. (Robinson)
- f) Approve an increase of 340 calendar days (approximately 11 months) to the Contract duration contingency for [Contract No. WW-685R](#), North Shore Pump Station Wet Weather Improvements, with Western Water Constructors, Inc., for a new Contract duration limit of up to 1,415 consecutive calendar days (approximately three years and 11 months), with no change to Contract amount, due to delays associated with installation and start-up of motor control center equipment and associated downstream new assets. (Robinson)
- g) Accept work performed by J. Flores Construction Company, Inc. under [Contract WW-693](#), As-Needed Spot Sewer Replacement No. 40, for a total contract amount of \$9,761,823 and a total contract duration of 400 consecutive calendar days (approximately one year and one month); and authorize final payment to the contractor. (Robinson)
- h) Accept work performed by J. Flores Construction Company, Inc. under [Contract No. WW-698](#), As-Needed Spot Sewer Replacement No. 41, for a total Contract amount of \$8,164,118 with a Contract duration of 400 consecutive calendar days (approximately one year and one month); and authorize final payment to the contractor. (Robinson)
- i) Accept work performed by Trinet Construction, Inc. for [Contract No. WW-737](#), Baker St. Combined Sewer Discharge Baffle Improvements & Backflow Valve Repair; approve Modification No. 1 (Final) decreasing the Contract amount by \$58,743, for a total Contract amount of \$507,257 and a total Contract duration of 240 consecutive calendar days; and authorize final payment to the Contractor. (Robinson)

REGULAR CALENDAR

- 8. Approve [Contract No. CS-1413](#), Comprehensive Management of Watersheds within Yosemite National Park Supplying the San Francisco Regional Water System Memorandum of Agreement with the United States Department of the Interior, National Park Service – Yosemite National Park, in the amount not to exceed \$40,958,727, with a duration of four years, subject to Board of Supervisors approval under Charter Section 9.118. (Ritchie)
- 9. Approve and authorize the General Manager to seek approval from the Board of Supervisors to execute [power sales contracts](#), with anticipated revenue in excess of \$1 million or more subject to an annual revenue limit of \$20 million per year, through July 1, 2025. (Hale)
- 10. Discussion and possible action to amend the terms of an [employment contract](#), pursuant to San Francisco Charter Section 8B.126 (a) and (c), between the San Francisco Public Utilities Commission and Dennis Herrera, General Manager of the San Francisco Public Utilities Commission, and authorize the President of the Commission to execute the contract amendment. (Paulson)
- 11. Communications (information only)
 - a) [Advance Calendar](#)
 - b) [Contract Advertisement Report](#)

- c) [Correspondence Log](#)
- d) [Annual Municipal Energy Benchmarking Report](#)
- e) [Green Infrastructure Grant Program Board of Supervisors Update](#)
- f) [Power Quarterly Report on Delegated Authority Contracts Pursuant to Administrative Code Section 21.43](#)
- g) [Quarterly Report on Contracts Awarded by the General Manager Pursuant to Delegated Authority](#)
- h) [Water Supply Conditions Update](#)

12. Items initiated by Commissioners (discussion only)

13. Public Comment on the matters to be addressed during Closed Session

14. Motion on whether to assert the attorney-client privilege regarding the matters listed below

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

CLOSED SESSION

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

Ralph Bower, et al v. City and County of San Francisco
San Francisco Superior Court Case No.: CGC-23-605730
Date Filed: April 10, 2023

Proposed settlement of a personal injury claim, with the City and County of San Francisco to pay Ralph Bower, et al \$800,000 in exchange for a full and final release, subject to final approval by the Board of Supervisors. (action item) (Bregman)

16. CONFERENCE WITH LEGAL COUNSEL regarding existing litigation (Government Code §54956.9(d)(1), San Francisco Administrative Code §67.10(d)(1)):

Nicholas Navarro v. City and County of San Francisco
Unlitigated File No.: 24-00351
Date Filed: August 24, 2023

Proposed settlement of unlitigated claim resulting from a water main rupture with the City and County of San Francisco to pay Nicholas Navarro \$33,29 in exchange for a full and final release, subject to final approval by the Board of Supervisors. (action item) (Bregman)

17. CONFERENCE WITH LEGAL COUNSEL regarding existing litigation (Government Code §54956.9(d)(1), San Francisco Administrative Code §67.10(d)(1)):

State Farm et al v. City and County of San Francisco
Unlitigated File No.: 23-02357
Date Filed: May 22, 2023

Proposed settlement of unlitigated claim resulting from a water main rupture with the City and County of San Francisco to pay State Farm, et al \$54,213.76 in exchange for a full and final

release, subject to final approval by the Board of Supervisors. (action item) (Bregman)
Following Closed Session, the Commission will reconvene in Open Session

18. Announcement following Closed Session

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

20. Adjournment

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