



San Francisco
Water Power Sewer

Services of the San Francisco Public Utilities Commission

SAN FRANCISCO PUBLIC UTILITIES COMMISSION
City and County of San Francisco

London N. Breed

Mayor

AGENDA

Tuesday, December 10, 2019

1:30 P.M.

1 Dr. Carlton B. Goodlett Place
City Hall, Room 400
San Francisco, CA 94102

Commissioners

Ann Moller Caen, President
Francesca Vietor, Vice President
Anson Moran
Sophie Maxwell
Tim Paulson

Harlan L. Kelly, Jr.

General Manager

Donna Hood

Secretary



For information, contact the Commission Secretary at 415-554-3165
Minutes and other information are available on the SFPUC web site:

www.sfwater.org

Gavel-to-Gavel coverage available at:

http://sanfrancisco.granicus.com/ViewPublisher.php?view_id=22

Accessible Meeting Policy: The San Francisco Public Utilities Commission meeting will be held in Room 400, at 1 Dr. Carlton B. Goodlett Place (400 Van Ness Ave.), San Francisco, CA. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: MUNI Metro Lines J-Church, K-Ingleside, L-Taraval, M-Ocean View, N-Judah and T-Third at Van Ness and Civic Center Stations; F-Market; 19-Polk, 47-Van Ness; 49-Mission-Van Ness; 5-Fulton; 6-Parnassus, 21-Hayes; 9-San Bruno; and 7-Haight Noriega. For information about MUNI accessible services call 701.4485.

The meeting room is wheelchair accessible. Accessible curbside parking spaces have been designated on the Van Ness Avenue and McAllister Street perimeters of City Hall for mobility-impaired persons. There is accessible parking available within the Civic Center Underground Parking Garage at the corner of McAllister and Polk Streets, and within the Performing Arts Parking Garage at Grove and Franklin Streets.

To obtain a disability-related accommodation, including auxiliary aids or services, or to obtain meeting materials in alternative format, please contact Donna Hood at 415.554.3165. Providing at least 72 hours notice will help to ensure availability. Written reports or background materials for calendar items are available for public inspection and copying at 525 Golden Gate Ave., 13th Floor during regular business hours and are available on-line at <http://www.sfwater.org/index.aspx?page=167>.

To assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the President may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

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 soft@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 / คว"มขว" ยเหลือี ท"งภ"ษ"โดยไม"ง" ส"ยคห"ไขจ"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 November 26, 2019](#)
4. General Public Comment (discussion only)
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) [Annual Water Resources Division Report](#)
 - e) [Annual Water Supply Development Report](#)
 - f) [Water Supply Conditions Update](#)
6. [Citizens' Advisory Committee Update](#) (discussion only) (Zock)
7. Report of the General Manager (discussion only)
 - a) Bay Delta Water Quality Control Plan Update
 - b) Sewer System Improvement Program Quarterly Report
 - c) [Wastewater Enterprise Capital Improvement Program Quarterly Report](#)
 - d) Update on PG&E's Bankruptcy and City's Acquisition Offer
 - e) Report on Recent San Francisco Public Utilities Commission Activities, Events and Announcements
8. Update on San Francisco's Sea Level Rise Action Plan and Next Steps (discussion only) (Norby)
9. [Update on Disaster Recovery and Resiliency Planning as it relates to the Sewer System Improvement Program](#) (discussion only) (Norby)
10. Discussion of informational presentation by the San Francisco Public Utilities Commission on the City's water supply planning process to be presented at the December 12, 2019 Planning Commission meeting (discussion only) (Ritchie)
11. New Commission Business (discussion only)

The following matters before the San Francisco Public Utilities Commission are recommended for action as stated by the General Manager and City Attorney, where applicable. Explanatory documents provided to the Commission in connection with this agenda are available for public inspection and copying at the Office of the Commission Secretary, 525 Golden Gate Avenue, 13th Floor, San Francisco, CA 94102; Telephone: (415) 554-3165; Fax: (415) 554-3424; and are available on-line at <http://www.sfwater.org/index.aspx?page=167>

CONSENT CALENDAR

12. *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 Amendment No. 1 to [Agreement No. CS-388](#), River Ecosystem Science Support, with McBain Associates to continue providing hydrologic, geomorphic, biological, and other river ecosystem science support services on an as-needed basis, increasing the agreement amount by \$700,000 for a total not-to-exceed agreement amount of \$2,200,000, and a time extension of four years for a total agreement duration of nine years; and authorize the General Manager to execute this amendment. (Ritchie)
 - b) Approve the plans and specifications, and award [Contract No. WD-2693](#), 8-Inch and 12-Inch Ductile Iron Water Main Replacement on 21st, Bryant, Ford, Hancock, and Cumberland Streets, in the amount of \$3,861,835, and with a duration of 585 consecutive calendar days (approximately one year and eight months), to the responsible bidder that submitted the lowest responsive bid, M Squared Construction, Inc. 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)
 - c) Accept work performed by D'Arcy & Harty Construction, Inc. for [Contract No. WW-636](#), Various Locations Sewer Replacement and Pavement Renovation No. 4; approve Modification No. 4 (Final), decreasing the contract amount by \$24,447, for a total contract amount of \$5,037,565, and a total contract duration of 578 consecutive calendar days (approximately one year and seven months); and authorize final payment to the contractor. (How)

REGULAR CALENDAR

13. Approve the plans and specifications, and award [Contract No. WD-2794B](#), Sunol Long Term Improvements – Alameda Creek Watershed Center, in the amount of \$27,577,000, with a duration of 690 consecutive calendar days (approximately one year and 11 months), to the responsible bidder submitting the lowest responsive bid, S.J. Amoroso Construction, Inc., to construct a new Alameda Creek Watershed Center and a 2.5-acre landscape area that resembles the middle and upper reaches of the Alameda Creek. (How)
14. Authorize the release of \$391,392 in construction funding for the [Green Infrastructure Grant](#) awarded to the San Francisco Unified School District by the San Francisco Public Utilities Commission on June 11, 2019 by Resolution No. 19-0118, to construct stormwater management features at Lafayette Elementary School. (Norby)

15. Adopt a resolution approving the 2020 update to the San Francisco Public Utilities Commission [Wildfire Mitigation Plan](#), pursuant to Public Utilities Code § 8387. Section (b)(1) of Code 8387 requires an annual update to the plan, and that the plan be submitted to the California Wildfire Safety Advisory Board on or before July 1, 2020. (Ritchie)
16. Approve resolution modifying the San Francisco Public Utilities Commission's [Onsite Water Reuse Grant Program Rules](#) to (1) expand eligibility to certain projects that are installing onsite water systems on a mandatory basis in compliance with the Non-potable Water Ordinance (NPO) that go above and beyond Baseline NPO Compliance (referred to as "Above and Beyond Projects"), (2) specify that eligibility of Above and Beyond Projects that consist of multiple buildings is limited to projects using a district-scale project approach, not projects using a building-scale approach, (3) require all projects to estimate the energy offset that could be achieved by the project through the installation of a wastewater heat recovery system; and (4) require Above and Beyond projects that consist of mixed-use and multi-family residential buildings that are seeking grant funding to install a wastewater heat recovery system. (Ritchie)
17. Approve a resolution endorsing [CleanPowerSF's plan to transition residential customers to time-of-use](#) (TOU) as the default rate and to provide bill protection in the form of a one-time credit bill credit after the first year of TOU service, and direct staff to return to the Commission with a proposed TOU rate structure for consideration and possible implementation in 2020. (Sandler)
18. Adopt a [Policy on Discontinuation of Residential Water Service for Nonpayment](#) in accordance with the California Water Shutoff Protection Act, the California Water Shutoff Protection Act California Health & Safety Code Section 116900 *et seq.*, and amend Section D, Rules 4 and 5 of the San Francisco Public Utilities Commission Rules and Regulations Governing Water Service to Customers to reference such policy. (Sandler)
19. Approve and authorize the General Manager to execute (1) an agreement between the Bay Area Water Supply and Conservation Agency (BAWSCA) and the San Francisco Public Utilities Commission (SFPUC) regarding the operation and allocation of costs for the [BAWSCA Pilot Water Transfer](#) to take place in January 2020, and (2) an agreement among the City of Hayward, East Bay Municipal Utility District, and the SFPUC regarding the one-time use of the Hayward Intertie for the BAWSCA Pilot Water Transfer. (Ritchie)
20. Public Comment on matters to be addressed during Closed Session
21. 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:

22. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1) (Gessner)

Existing Litigation

Luz de Verano Cervantes v. City and County of San Francisco, et al.
San Francisco Superior Court Case No. CGC-18-566598/Date Filed: May 16, 2018. Proposed settlement of lawsuit with plaintiff's release of lawsuit and the City to pay plaintiff \$49,500.

23. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1) (discussion only) (Mueller)

Existing Litigation

Pacific Gas & Electric Corporation
Case No. 19-30088/Date Filed: January 29, 2019
Case No. 19-30089/Date Filed: January 29, 2019
United States Bankruptcy Court, Northern District of California

24. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10(d) (1) (discussion only) (Mueller)

Existing Litigation

City and County of San Francisco v. Pacific Gas & Electric Company
Docket No. EL19-38-000/Date Filed: January 28, 2019 Federal Energy
Regulatory Commission

25. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1) (discussion only) (Mueller)

Existing Litigation

City and County of San Francisco v. Pacific Gas & Electric Federal Energy
Regulatory Commission Complaint under Sections 206 and 306 of the Federal
Power Act.
Case No. EL15-3-000/Date Filed: October 9, 2014

Following Closed Session, the Commission will reconvene in Open Session

26. Announcement Following Closed Session
27. Motion regarding whether to disclose the discussions during Closed Session pursuant to San Francisco Administrative Code Section 67.12 (a)
28. Adjournment



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Mayor

CANCELLATION NOTICE

**The Regular Meeting of the
San Francisco Public Utilities Commission
Tuesday, December 24, 2019**

1:30 P.M.

1 Dr. Carlton B. Goodlett Place
City Hall, Room 400
San Francisco, CA 94102

HAS BEEN CANCELLED

Commissioners

Ann Moller Caen, President
Francesca Vietor, Vice President
Anson Moran
Sophie Maxwell
Tim Paulson

Harlan L. Kelly, Jr.
General Manager

Donna Hood
Secretary



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