



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

Minutes
Tuesday, December 10, 2019
1:30 P.M.
(Approved January 12, 2020)

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

1. Call to Order
Vice President (VP) Vietor called the meeting to order at 1:36 PM.

2. Roll Call
Present: Vietor, Moran, and Maxwell
Excused Absence: Caen
Commissioner Paulson arrived at 1:37 PM.

3. Approval of the Minutes of November 26, 2019
On Motion to approve the Minutes of November 26, 2019:
Ayes: Vietor, Moran, and Maxwell

Commissioner Paulson arrived at 1:37 PM.

4. General Public Comment
 - *Francisco DaCosta discussed flooding issues on Folsom St. and the City's response; electric service provided to Treasure Island; and responsibility during blackouts.*

5. Communications
 - 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

No public comment.

6. Citizens' Advisory Committee (CAC) Update

Tracy Zock, CAC Chair, indicated that she is near the end of her two-year term. She reviewed three resolutions passed by the CAC: (1) Resolution in support of SFPUC Class A Biosolids Local Distribution Program, (2) Resolution in support of improved communications related to the San Francisco Groundwater Supply Project, and (3) Resolution in support of fostering a skilled and diverse utility workforce by the SFPUC.

She discussed the CAC's request for a staffing position and the subsequent denial by the Mayor's Office. She asked for the Commission's assistance in urging the Mayor's Office to approve the position.

In response to a question from Commissioner Maxwell, Chair Zock further discussed Resolution number three.

General Manager Kelly, Jr. provided additional comments on the position request.

Public Comment

- *Francisco DaCosta discussed the importance of career jobs.*

7. Report of the General Manager

a) Bay Delta Water Quality Control Plan Update

Steve Ritchie, Assistant General Manager (AGM) Water, indicated the State Board's report has not yet been released. He indicated the State has released modeling results (no data). He noted the next State Board meeting will be in January.

AGM Ritchie responded to a question from VP Vietor regarding water release during high water years, and the next steps with the State.

No public comment.

b) Sewer System Improvement Program (SSIP) Quarterly Report

GM Kelly introduced the new SSIP Director, Stephen Robinson, who provided the quarterly report: (1) Program Status (34.7% complete with \$2.080B expended), (2) Biosolids Digester Facilities Project, (3) Southeast Plant (SEP) New Headworks Facilities Project, (4) SEP Seismic Reliability and Condition Assessment Improvements, (5) Force Main at Embarcadero and Jackson Streets, (6) Other Phase 1 Projects, (7) current conditions, and (8) Other program updates.

Director Robinson responded to a question from Commissioner Paulson regarding the role of Young Community Developers.

In response to a question from Commissioner Maxwell, Mr. Robinson described what he brings to his new role as SSIP Director.

Director Robinson responded to a request from VP Vietor to describe his views on Green Infrastructure and Climate Resiliency.

No public comment.

c) Wastewater Enterprise Capital Improvement Program Quarterly Report

Director Robinson reviewed three capital projects with forecast delays or cost variance: (1) Kansas & Marin Streets Improvement Projects, (2) Geary Bus Rapid Transit, and (3) New Treasure Island Wastewater Treatment Plant.

No public comment.

d) Update on PG&E's Bankruptcy and City's Acquisition Offer

Barbara Hale, AGM Power, provided updates regarding PGE's bankruptcy, PG&E's claims cases, and California regulatory and legislative activities.

No public comment.

e) Report on Recent San Francisco Public Utilities Commission Activities, Events and Announcements

Chris McDaniels, Sewer Operations Manager, provided a brief update on the recent storm event, subsequent flooding, and response efforts. He stated that the SFPUC uses the National Oceanic and Atmospheric Administration (NOAA) forecasts during a storm event to determine rain levels. He discussed “thresholds” which dictate actions. Forecasts of .25” or less sewer operations are normal, .50” additional resources are need, .75” equipment and labor are placed throughout the City to shorten response time, and 1” or more flood barriers are deployed at 17th and Folsom Streets. He noted NOAA’s weekend predictions were .50” to .75”, but 1.6” inches of rain occurred in one hour with, which left little time to deploy additional resources.

Mr. McDaniel responded to a question from Commissioner Maxwell as to how procedures, thresholds, and priorities will be evaluated in the future. GM Kelly provided additional comment.

No public comment.

The Commission Secretary called item 9 out of order.

9. Update on Disaster Recovery and Resiliency Planning as it relates to the Sewer System Improvement Program

Greg Norby, AGM Wastewater, presented five Seismic Reliability Level-of-Service objectives. He focused on Objective 2 minimize public health and safety impacts in the first 72 hours; Objective 3 ensure facilities are on-line to convey dry weather flows for treatment within 72 hours; and Objective 4 provide dry weather primary treatment and disinfection within 72 hours.

He reviewed current areas of focus for Operational Emergency Planning.

No public comment.

8. Update on San Francisco’s Sea Level Rise Action Plan and Next Steps

Anna Roche, Project Manager and member of the Sea Level Rise Coordinating Committee, provided an overview of Sea Level Rise and Consequence Assessment. She noted a report is expected to be published in early 2020. Ms. Roche reviewed the process involved in the report’s creation (define process, data collection, and action), discussed vulnerability and risk assessment, and reviewed assets and neighborhoods determined to most vulnerable as per the Vulnerability and Consequences Assessment.

She turned to potential impacts to SFPUC assets: Water (Regional Water System (Bay Crossing) and Local Water System pump stations); Wastewater (treatment plants, combined sewer discharge, pump stations, and potential flood pathways); Power (interrelation to PG&E assets).

She discussed on-going work the City is taking to address Sea Level Rise: project adaption, district-scale adaption, and Ocean Beach Climate Adaption Project.

She concluded with next steps for Citywide resilience: Sea Level Rise Capital Planning guidance, Hazards and Climate Resilience Plan, and Citywide Climate Resilience.

Mr. Brian Strong, Director, Office of Resilience and Capital Planning, continued with an overview of the Hazards and Climate Resilience Plan. He reviewed (1) Scope and Timeline, (2) Goals, (3) Multi-Hazard Plan (13 primary (natural) hazards in four categories); (4) standard hazard profile, (5) asset categories, (6) vulnerability and consequence profiles, (7) stakeholder engagement, (8) strategies (includes over 90 strategies to mitigate risk), and (9) review of sample strategies within different hazard categories. He concluded with a review of SFPUC-led strategies.

Mr. Strong and Ms. Roche responded to questions from Commissioner Maxwell as to the whether the inclusion of watersheds and low-lying areas are being considered.

Director Strong responded to questions from VP Vietor regarding strategies not on the list, and asked about financing/funding sources.

Commissioner Paulson thanked staff for the presentation and good work.

Commissioner Moran asked about how the issues play at the Southeast Plant (SEP). GM Kelly provided response.

No public comment.

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

AGM Ritchie provided an overview of a presentation titled "SFPUC Water Supply Planning: Requirements and Our Approach Based on Experience", that he will present to the San Francisco Planning Commission on December 12, 2019.

AGM Ritchie responded to a question from VP Vietor regarding the eight-year drought and 265 MGD demand.

Commissioner Moran noted that the presentation came about due to the rash of Water Supply Assessments and the Bay Delta Plan. Key takeaways he hoped are conveyed to the Planning Commission include: the planning scenario is not arbitrary but is rather a judgement based on experience; water supply challenges exist with or without the State Board order that requires various water supply projects; challenge presented by State Board

Plan is significant and 50% curtailment is not okay. He expressed appreciation for the graph discussing 265 MGD. Brief discussion ensued.

No public comment.

11. New Commission Business

None.

12. Consent Calendar

- 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. ([Resolution 19-0229](#))
- 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, 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. ([Resolution 19-0230](#))
- 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; and authorize final payment to the contractor. ([Resolution 19-0231](#))

*On Motion to approve Consent Calendar items 10a thorough 10f:
Ayes: Vietor, Moran, Maxwell and Paulson*

No public comment.

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, 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. ([Resolution 19-0232](#))

Dan Wade, Director of Water Capital Projects and Programs, informed the Commission that he resigned his position for private-sector work. He expressed thanks for the opportunities that have been provided, for the Commission's support, and for the support of the General Manager, AGM How, and staff.

Mr. Wade introduce the item and requested approval.

VP Vietor and Commissioner Moran thanked Mr. Wade for his work and congratulated him on his new position.

*On Motion to approve Consent Calendar item 13:
Ayes: Vietor, Moran, Maxwell and Paulson*

No public comment.

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. ([Resolution 19-0233](#))

*On Motion to approve Consent Calendar items 14:
Ayes: Vietor, Moran, Maxwell and Paulson*

No public comment.

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. ([Resolution 19-0234](#))

*On Motion to approve Consent Calendar items 15:
Ayes: Vietor, Moran, Maxwell and Paulson*

No public comment.

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. ([Resolution 19-0235](#))

*On Motion to approve Consent Calendar items 16:
Ayes: Vietor, Moran, Maxwell and Paulson*

No public comment.

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. ([Resolution 19-0236](#))

On Motion to approve Consent Calendar items 17:

Ayes: Vietor, Moran, Maxwell and Paulson

No public comment.

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. ([Resolution 19-0237](#))

Diala Batshoun, Customer Service Operations Manager, provided a background of the Policy, presented requirements of Senate Bill (SB) 998, reviewed existing SFPUC rules and practices that meet SB 998 requirements, and discussed new SB 998 requirements that the SFPUC must implement.

On Motion to approve Consent Calendar items 18:

Ayes: Vietor, Moran, Maxwell and Paulson

No public comment.

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. ([Resolution 19-0238](#))

AGM Ritchie introduced the item and requested approval.

On Motion to approve Consent Calendar items 19:

Ayes: Vietor, Moran, Maxwell and Paulson

Public Comment

- *Nicole Sandkulla, BAWSCA CEO, noted the pilot is a significant effort. She stated BAWSCA's expectation is to prepare a report and present to the Commission when complete.*

20. Public Comment on matters to be addressed during Closed Session

None.

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

On Motion to assert:

Ayes: Vietor, Moran, Maxwell and Paulson

The Commission entered Closed Session at 4:22 PM.

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)

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.

(Resolution 19-0239)

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)

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)

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)

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

The Commission exited Closed Session at 4:58 PM.

26. Announcement Following Closed Session

VP Vietor announced that a settlement was reached on item 22. No other action was taken.

27. Motion regarding whether to disclose the discussions during Closed Session pursuant to San Francisco Administrative Code Section 67.12 (a)
On Motion not to disclose:
Ayes: Vietor, Moran, Maxwell and Paulson

28. Adjournment
VP Vietor announced that the December 24, 2019 meeting is cancelled. The meeting was adjourned at 4:59 PM.