



## **SAN FRANCISCO PUBLIC UTILITIES COMMISSION**

City and County of San Francisco

**London N. Breed**

Mayor

### **REGULAR MEETING AGENDA**

**Tuesday, July 13, 2021**

**1:30 P.M.**

This meeting is being held by Teleconference Pursuant to the Governor's Executive Order N-29-20 and the Twelfth Supplement 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: 146 534 3327 # #**

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**

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

#### **Michael Carlin**

Acting 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](mailto: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 [Agendas-Minutes-Resolutions-Log | SFPUC](#)

**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. Approval of the Minutes
  - a) [June 8, 2021 Regular Meeting](#)
  - b) [June 11, 2021 Special Meeting](#)
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. Communications (discussion only)
  - a) [Advance Calendar](#)
  - b) [Contract Advertisement Report](#)
  - c) [Correspondence Log](#)
  - d) [Alternative Water Supply Program Quarterly Update, June 2021](#)
  - e) [CleanPowerSF Quarterly Report](#)
  - f) [Fall Protection Systems to be Implemented at O'Shaughnessy Dam under the Hetch Hetchy Capital Improvement Program](#)
  - g) [FY 2021-22 Annual Schedule of Rates and Charges for Retail Non-Municipal Residential and Commercial Electric Service](#)
  - h) [Water Supply Conditions Update](#)
6. Report of the General Manager (discussion only)
  - a) Drought Update
  - b) [Wastewater Enterprise Quarterly Report Including Southeast Area Major Projects Update \(1\) Biosolids, \(2\) Headworks, and \(3\) 1550 Evans Southeast Community Center](#)
  - c) Report on Recent San Francisco Public Utilities Commission Activities, Events and Announcements
7. New Commission Business (discussion only)

## CONSENT CALENDAR

8. *All matters listed hereunder constitute a Consent Calendar are considered 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 Modification No. 1 to [Job Order Contract, JOC-78R](#), Micro-LBE Set Aside, General Engineering (A-License) San Joaquin, Stanislaus and Tuolumne Counties, with Peterson Excavation, Inc., to complete ongoing facility and asset improvements, increasing the contract amount by \$1,000,000 for a total not-to-exceed contract amount of \$3,000,000, and increasing the contract duration by

three years for a total contract duration of five years, in accordance with San Francisco Administrative Code 6.62(h). (Johanson)

- b) Accept work performed by Ranger Pipelines Inc. for [Contract No. WD-2829R](#), San Andreas Pipeline No. 2 Replacement; approve Modification No. 20 (Final), decreasing the contract amount by \$570,418 for a total contract amount of \$32,758,582, with no change to the contract duration of 730 consecutive days (two years); and authorize final payment to the contractor. (Johanson)
- c) Approve an increase of \$300,000 to the contract cost contingency and an increase of 365 calendar days to the contract duration contingency for [Contract No. WD-2854A](#), 525 Golden Gate Avenue Roof Access and Fall Protection; and authorize the General Manager to approve future modifications to the contract for a total contract amount of up to \$917,186 and a total contract duration of up to 750 consecutive calendar days (approximately two years). (Johanson)
- d) Approve an increase of 250 consecutive calendar days to the contract duration contingency for [Contract No. WD-2854B](#), 525 Golden Gate Avenue Tower Access and Fall Protection; and authorize the General Manager to approve future modifications to the contract for a total contract duration of up to 448 consecutive calendar days (approximately one year and three months) with no change to the contract amount. (Johanson)
- e) Accept work performed by Cal State Constructors for [Contract No. WW-664](#), North Point Wet Weather Facility Sedimentation Tank Influent Gate Upgrades; approve Modification No. 5 (Final), decreasing the contract amount by \$20,037, for a total contract amount of \$2,917,876, with no change to the contract duration of 785 consecutive calendar days (approximately two years and three months); and authorize final payment to the contractor. (Johanson)
- f) Accept work performed by Trinet Construction, Inc., for [Contract No. WW-683R](#), Sansome, 5th, 6th (North), and Division Streets Combined Sewer Discharge Rehabilitation and Backflow Prevention; approve Modification No. 11 (final) increasing the contract amount by \$14,802 for additional work at the Sansome ceiling and influent columns for a total contract amount of \$6,611,833, and increasing the contract duration by 26 consecutive calendar days for a total contract duration of 587 consecutive calendar days (approximately one year and eight months); and authorize final payment to the contractor. (Johanson)
- g) Accept work performed by Precision Engineering, Inc. for [Contract No. WW-692](#), As-Needed Spot Sewer Replacement No. 39, approve Modification Nos. 1 and 2 (Final), decreasing the contract amount by \$6,021,664, for a total contract amount of \$2,155,296, with no change to the contract duration; and authorize final payment to the contractor. (Johanson)
- h) Approve the plans and specifications, and award [Contract No. WW-714](#), Ocean Beach Climate Change Adaptation, Short-term Erosion Mitigation, in the amount of \$3,134,000, and with a duration of 1,095 consecutive calendar days (approximately three years), to the responsible bidder submitting the lowest

responsive bid, Minerva Construction, Inc. to provide coastal erosion mitigation and protect critical wastewater treatment infrastructure, facilities, at the beach south of Sloat Boulevard to Skyline Boulevard within the City and County of San Francisco. (Johanson)

## REGULAR CALENDAR

9. Authorize the General Manager to execute a [Memorandum of Understanding](#) with the San Francisco Airport Commission in an amount not-to-exceed \$3,800,000 with a term of one year and 11 months, for SFPUC to fund consulting services and engineering design work for the development and environmental review of the Electric Capacity Upgrade Program to increase capacity and improve redundancy at the two SFPUC-owned airport substations, Airport Substation and Substation MA. (Hale)
10. Adopt an [Untreated Wholesale Water Discount Factor](#) of \$0.36 per one hundred cubic feet for FY 2021-22 to be applied to Wholesale Customer Coastside County Water District (CCWD), in accordance with the terms of the 2009 Water Supply Agreement between the City and County of San Francisco and the Wholesale Customers, as amended and re-stated on December 11, 2018 by Resolution No. 18-0212, and the SFPUC's individual water sales contract with CCWD. (Sandler)
11. [Adopt findings declaring as surplus](#) to the SFPUC's utility needs per Charter Section 8B.121 and as "surplus land" and "exempt surplus land" under the California Surplus Land Act approximately 262,553 square feet of unimproved agricultural property designated as a portion of SFPUC Parcel No. 65 and also designated as portions of Assessor Parcel Nos. 96-375-12-2, 96-375-6-11, 96-375-7-3, and 96-375-6-8 in unincorporated Alameda County owned by the City and County of San Francisco under the jurisdiction of the San Francisco Public Utilities Commission; recommend to the Board of Supervisors approval of the Agreement for the sale and purchase of 262,553 square feet of unimproved land, 186,754 square feet of easement interests, and 1,609.09 linear feet of abutters rights in SFPUC Parcel No. 65 (cumulatively, the Property) for \$152,952 total to the State of California Department of Transportation (Caltrans) and the Alameda County Transportation Commission (Alameda CTC) and authorization of the City's Director of Property and/or the SFPUC General Manager to execute deeds conveying fee, easement interests, and abutter's rights interests in the Property to Caltrans and the Alameda CTC; and authorize the General Manager to execute the Sale Agreement upon approval from the Board of Supervisors and Mayor. (Carlin)
12. Authorize the General Manager to execute [Memoranda of Understanding No-4453 and No-4454](#) with San Francisco Public Works (SFPW) for the San Francisco Public Utilities Commission's use of a portion of SFPW property, located at 2323 Cesar Chavez Street in San Francisco, to construct a sewer tunnel and appurtenant facilities for the Kansas and Marin Streets Sewer Improvements Project, and for related temporary construction staging for a period of 20 months, with an option to extend for six months, at no cost to the SFPUC. (Johanson)
13. Approve the selection of MCK Americas, Inc. (MCK), the sole responsive, responsible, and qualified proposer; award [Agreement No. PRO.0181](#), Westside Pump Station

Construction Management Staff Augmentation Services, to provide construction management personnel to assist in managing the construction of the Westside Pump Station Reliability Improvements Project; and authorize the General Manager to negotiate and execute a professional services agreement with MCK for an amount not-to-exceed \$3,300,000, and a duration of three years. (Johanson)

14. Approve the plans and specifications, and award [Contract No. WW-699](#), As-Needed Spot Sewer Replacement No. 42, in an amount not-to-exceed \$10,176,957, and with a duration of 400 consecutive calendar days (approximately one year and two months), to the sole, qualified, responsible bidder, J. Flores Construction Company, Inc., in accordance with San Francisco Administrative Code 6.23(c)(2), to replace sections of existing sewer piping, on an as-needed basis, at locations to be determined throughout the City of San Francisco. (Johanson)
15. Authorize the General Manager to negotiate a contract scope of work and price reduction of greater than 10% for [Contract No. WW-647R](#), Southeast Water Pollution Control Plant Biosolids Digester Facilities Project (BDFP) with Construction Manager/General Contractor, MWH Constructors/Webcor Builders Joint Venture, to provide flexibility to use alternative delivery methods to achieve the overall BDFP objectives and scope of work, and if negotiations are successful, return for Commission approval of such scope and price reduction through either a contract modification or partial termination for convenience. (Johanson)
16. Report out from June 11, 2021 Closed Session (Maxwell)
17. Public comment on matters to be addressed during Closed Session
18. Motion on whether to conduct the items below in closed session, pursuant to San Francisco Administrative Code Section 67.10(b)

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

### **CLOSED SESSION**

19. Pursuant to Government Code Section 54957(b) and San Francisco Administrative Code Section 67.10(b), to consider public employee appointment/hiring for the position of General Manager of the San Francisco Public Utilities Commission; and Pursuant to Government Code Sections 54954.5(f) and 54957.6, and San Francisco Administrative Code Section 67.8(a)(5). (discussion only) (Maxwell)

Conference with Labor Negotiator, Unrepresented Employee

*City Negotiator  
Commission President Sophie Maxwell*

*Unrepresented Employee  
General Manager, San Francisco Public Utilities Commission*

Anticipated issues under negotiation:



- Wages
- Hours
- Benefits
- Working conditions
- Other

20. CONFERENCE WITH LEGAL COUNSEL

Anticipated litigation as defendant pursuant to California Government Code Section 54956.9(d)(2) and S.F. Administrative Code Section 67.10(d)(2) (Roddy)

21. CONFERENCE WITH LEGAL COUNSEL

Pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1) (discussion only) (Mueller)

Conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the City is a petitioner and Pacific Gas & Electric Company is an adverse party: In re: PG&E Corporation and Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 9-30088-DM, filed January 29, 2019; Federal Energy Regulatory Commission Case No. EL 19-38- 000, filed January 28, 2019; Federal Energy Regulatory Commission Case No. ER18- 1482-000, filed April 30, 2018; Federal Energy Regulatory Commission Case No. ER18-1102-000, filed March 15, 2018; Federal Energy Regulatory Commission Case No. ER18-790-000, filed, February 2, 2018; Federal Energy Regulatory Commission Case No. ER18-768-000, filed January 31, 2018; Federal Energy Regulatory Commission Case No. ER18-198-000, filed October 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2406-000, filed August 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2181-000, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2204, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-1509-000, filed May 1, 2017; Federal Energy Regulatory Commission Case No. ER17-910-000, filed January 31, 2017; Federal Energy Regulatory Commission Case No. EL 15-3-000, filed October 10, 2014; Federal Energy Regulatory Commission Case No. ER15-702-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-703- 000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-704-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-705-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-735-000, filed December 23, 2014; California Public Utilities Commission Case No. 1.15-08-019, filed February 25, 2015; California Public Utilities Commission Case No. R.18-10-007, filed October 25, 2018; California Public Utilities Commission Case No. R.19-01-006, filed January 10, 2019; and California Public Utilities Commission Case No. R.19-09-016, filed January 10, 2019.

*Following Closed Session, the Commission will reconvene in Open Session*

22. Announcement following Closed Session.

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

Adjournment



San Francisco Public Utilities Commission  
525 Golden Gate Avenue, 13<sup>TH</sup> Floor  
San Francisco, CA 94102