



SAN FRANCISCO PUBLIC UTILITIES COMMISSION

City and County of San Francisco

London N. Breed

Mayor

REGULAR MEETING AGENDA

Tuesday, May 11, 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: 146 112 6326 # #

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@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 <http://www.sfgov.org/index.aspx?page=167>.

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. 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 / ความช่วยเหลือทางภาษา “โดยไม่ว่า” / 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.

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) [April 16, 2021 Special Meeting](#)
 - b) [April 27, 2021 Regular 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) [2009 Water Supply Agreement Update](#)
 - e) [Annual SuperGreen Multi-Year Service Agreement Customer Update](#)
 - f) [Water System Improvement Program Status of Construction Change Orders](#)
 - g) [Water Supply Conditions Update](#)
6. Report of the General Manager (discussion only)
 - a) Power Enterprise Racial Equity Action Plan
 - b) [Quarterly Budget Status Report](#)
 - c) [Water System Improvement Program Quarterly Report](#)
 - d) [Water Enterprise Capital Improvement Program Quarterly Report](#)
 - e) 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 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) Accept work performed by Mountain Methods, Inc. for [Contract No. HH-1001](#), Moccasin Reservoir Perimeter Security Fence; approve Modification No. 6 (Final), decreasing the contract amount by \$135,872, for a total contract amount of \$1,626,886, with no change to the agreement duration of 272 consecutive calendar days (approximately nine months); and authorize final payment to the contractor. (How)
 - b) Accept work performed by Western Water Constructors, Inc., for [Contract No.](#)

[WD-2621R](#), San Francisco Groundwater Supply Well Stations; approve Modification No. 11 (Final), increasing the contract duration by 425 consecutive calendar days (approximately one year and two months) with no change in contract amount, for a total contract duration of 2,208 consecutive calendar days (approximately six years) and a total contract amount of \$16,450,107; and authorize final payment to the contractor. (How)

- c) Approve increase of \$100,000 to the contract cost contingency, and increase of 70 calendar days to the contract duration contingency, for [Contract No. WD-2692](#), 16-Inch And 8-Inch Ductile Iron Water Main Installation, Sewer Replacement on Geary Boulevard From 32nd to 48th Avenues; and authorize the General Manager to approve future modifications to the contract for a total contract amount of up to \$10,270,403 and a total contract duration of up to 889 consecutive calendar days (approximately two years and four months). (How)
- d) Approve an increase of 173 calendar days (approximately six months) to the existing duration contingency for [Contract No. WD-2819](#), As-Needed Water Main Replacement at Various Locations, No. 2; and authorize the General Manager to approve future modifications to the contract for a total contract duration of up to 1,377 consecutive calendar days (approximately three years nine months), with no change in the contract amount. (How)
- e) Accept work performed by Western Water Constructors, Inc. [Contract No. WW-613](#), Southeast Water Pollution Control Plant (SEP) Building 521/522 and Disinfection Upgrades; approve Modification No. 13, increasing the contract amount by \$82,175 for a total contract amount of \$30,452,647, and increasing the contract duration by 122 consecutive calendar days for a total contract duration of 1,608 consecutive calendar days (approximately four years and five months); and authorize final payment to the contractor. (How)
- f) Approve the plans and specifications, and award [Contract No. WW-712](#), New Montgomery, Jessie, Minna, and Mission Streets Brick Sewer Rehabilitation, in the amount of \$4,888,750, and with a duration of 390 consecutive calendar days (approximately one year and one month), to the responsible bidder submitting the lowest responsive bid, D'Arcy & Harty Construction, Inc., to rehabilitate existing large-diameter sewers and associated appurtenances on various streets in downtown San Francisco, including New Montgomery, Jessie, Minna, and Mission Streets. 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)
- g) Accept work performed by Western Water Contractors Inc. [Contract No. WW-651](#), Griffith Pump Station Improvements; approve Modification No. 14 (final) decreasing the contract amount by \$55,571, for a total contract amount of \$11,977,669, and increasing the contract duration by 59 consecutive calendar days, for a total contract duration of 1,200 consecutive calendar days (approximately three years and four months); and authorize final payment to the contractor. (How)

REGULAR CALENDAR

9. Discussion only of the status and options regarding the selection process for the SFPUC General Manager position, and possible direction by the Commission regarding that process. (Maxwell)
10. Approve the form of, and authorize the General Manager to execute multiple documents constituting a [credit facility agreement](#) in the principal amount not-to-exceed \$100 million with Sumitomo Mitsui Banking Corporation to replace an expiring agreement of the Water Interim Funding Program that provides interim funding for the Water Enterprise capital program, with an initial term of four years and an initial annual fee of \$359,700, and a three-year option to extend the agreement for a total term of up to seven years and an annual fee not to exceed \$800,000. (Sandler)
11. Approve [Project No. CUW2751801](#), Southern Skyline Blvd. Ridge Trail Extension (Project); adopt the required California Environmental Quality Act Findings, including a Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program for the Project; authorize the General Manager to implement the Project in compliance with the Charter and applicable law; and authorize the General Manager to execute an agreement transferring to the City, at no cost, an easement through Skylawn Memorial Park currently held by the Bay Area Ridge Trail Council subject to Board of Supervisors approval of acceptance of the easement. 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)
12. Approve the plans and specifications, and award [Contract No. DB-121R2](#), Moccasin Powerhouse Generator Rehabilitation, in the amount of \$26,271,805, and with a duration of 1,093 consecutive calendar days (approximately three years), to GE Renewable US LLC to rehabilitate two vertical shaft synchronous hydro generators at the Moccasin Powerhouse, subject to Board of Supervisors approval of a negotiated comparative fault contractual indemnification provision in accordance with the requirements of Section 6.22(c) of the Administrative Code. (How)
13. Approve the plans and specifications, and award [Contract No. WD-2868R](#), San Francisco Local Water As-Needed Paving (FY 21-24), in the amount of \$13,857,000, and with a duration of 1,095 consecutive calendar days (approximately three years) to the responsive bidder submitting the lowest responsive bid, A. Ruiz Construction Co. & Assoc., Inc. (How)
14. Public comment on matters to be addressed during Closed Session
15. 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:

CLOSED SESSION

16. CONFERENCE WITH LEGAL COUNSEL – Pursuant to California Government Code, Section 54956.9(d)(2), and San Francisco Administrative Code, Section 67.10(d)(2) (discussion only) (Gessner)

Anticipated Litigation as Defendant

17. 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.

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)

Adjournment

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