



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, November 26, 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](http://www.sfwater.org)

Gavel-to-Gavel coverage available at:

[http://sanfrancisco.granicus.com/ViewPublisher.php?view\\_id=22](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., 13<sup>th</sup> 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](mailto: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"มข๓ว" ยเหล๓ล๓ ท"งภ"ษ"โดยไม๓ง" ส"ยค๓าไขจ"าย / Libreng tulong para sa wikang Tagalog ยเหล๓ล๓

**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 of November 12, 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) [Water Supply Conditions Update](#)
6. Report of the General Manager (discussion only)
  - a) [Hetch Hetchy Capital Improvement Program Quarterly Report](#)
  - b) Update on PG&E's Bankruptcy and City's Acquisition Offer
  - c) Operating and Capital Budget Development Update
  - d) Report on Recent San Francisco Public Utilities Commission Activities, Events and Announcements
7. [Update on Disaster Recovery and Resiliency Planning as it Relates to the Sewer System Improvement Program](#) (discussion only) (Norby)
8. Bay Area Water Supply and Conservation Agency Report (discussion only) (Sandkulla)
9. 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, 13<sup>th</sup> 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

10. *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. PRO.0043](#), As-Needed Strategic Planning Services for the External Affairs Bureau and Divisions, with RDJ Enterprises, LLC, for continued strategic planning services for the External Affairs Bureau, increasing the agreement duration by two years, for a total agreement duration of five years, with no change to the agreement amount; and authorize the General Manager to execute this amendment.  
(Ellis)
- b) Accept work performed by Western Water Constructors, Inc., for [Contract No. WD-2548](#), Lake Merced Pump Station Essential Upgrades Project; approve Modification No. 18 (Final), decreasing the contract amount by \$121,493 for a total contract amount of \$35,954,987, and increasing the contract duration by 259 consecutive calendar days (approximately eight and one-half months) for a total contract duration of 3,484 consecutive calendar days (approximately nine years and seven months); and authorize final payment to the contractor.  
(How)
- c) Approve the plans and specifications, and award [Contract No. WD-2854A](#), 525 Golden Gate Avenue Roof Access and Fall Protection in the amount of \$561,079, to the responsible bidder submitting the lowest responsive bid, Buhler Commercial, to install fall protection and access improvements on Levels 12 and 14 of the San Francisco Public Utilities Commission Headquarters located at 525 Golden Gate Avenue, San Francisco. (How)
- d) Approve an increase of 87 consecutive calendar days (approximately three months) to the existing contract duration contingency for [Contract No. WW-611](#), Cutler Avenue, Lower Great Highway, Sloat Boulevard, and Wawona Street Sewer Replacement; and authorize the General Manager to approve future contract modifications for a total revised contract duration of up to 433 consecutive calendar days (approximately one year and two months), with no change to the contract amount.  
(How)
- e) Approve an increase in the amount of \$500,000 to the existing contract cost contingency and an increase of 180 calendar days (six months) to the existing contract duration contingency for [Contract No. WW-613](#), Southeast Water Pollution Control Plant Building 521/522 and Disinfection Upgrades; and authorize the General Manager to approve future modifications to the contract for a total contract amount of up to \$30,622,166 and a total contract duration of up to 1,489 consecutive calendar days (approximately four years and one month).  
(How)
- f) Approve an increase of 400 consecutive calendar days (approximately one year and one month) to the existing contract duration contingency for [Contract No. WW-643R](#), Oceanside Water Pollution Control Plant Building 620 Safety Improvements; and authorize the General Manager to approve future contract modifications for a total revised contract duration of up to 900 consecutive calendar days (approximately two years and six months), with no change in the contract amount.  
(How)

## REGULAR CALENDAR

11. Approve amendments to the San Francisco Public Utilities Commission's [Large Landscape Grant Program Rules](#) to (1) reduce the minimum irrigated landscape size eligibility criterion from 0.5 acres to 10,000 square feet (approximately 0.25 acres), (2) clarify that the Program provides funding for Landscape Water Efficiency Projects and Recycled Water Projects, (3) set maximum grant award limitations for eligible projects, (4) eliminate grant eligibility for synthetic turf installation projects, and (5) make administrative and clarifying changes. (Ritchie)
12. Public Hearing: Discussion and possible action to adopt revisions to the [Debt Management Policies and Procedures](#) of the San Francisco Public Utilities Commission to address disclosure requirements, variable rate obligations, and Water Infrastructure Finance and Innovation Act loans. (Sandler)
13. Authorize the issuance of up to \$850 million of the [2019 Series ABCD Taxable Water Revenue Bonds](#) consisting of four separate sub-series of bonds (Sub-Series A (Refunding – Water System Improvement Project (WSIP), Green Bonds), Sub-Series B (Refunding - Hetch Hetchy), Sub-Series C (Refunding - Local Water Main) and Sub-Series D (WSIP – Green Bonds)); approve the form of, and authorize the execution and delivery of, related documents to (1) advance refund all or a portion of the 2010F, 2011A, 2011B, 2011C and 2012A Water Revenue Bonds to achieve debt service savings, and (2) Refinance Outstanding Taxable Water Commercial Paper; authorize the General Manager to sell the bonds in one or more series on either a competitive or negotiated basis, as the General Manager determines is in the best financial interest of the San Francisco Public Utilities Commission; and delegate to the General Manager authority to award each series of bonds to the highest bidder (lowest cost). (Sandler)
14. Discussion and possible action to authorize the General Manager to consent, on behalf of the San Francisco Public Utilities Commission, to the [Development Agreement between the City and County of San Francisco and Laurel Heights Partners](#), LLC for the project located at 3333 California Street (Block 1032, Lot 003), as it relates to matters under the SFPUC's jurisdiction; and adopt findings pursuant to the California Environmental Quality Act, and a Mitigation and Monitoring and Reporting Program. (Carlin)
15. Adopt a declaration that the property located at 639 Bryant Street (Block 3777, Lot 052) is surplus to the San Francisco Public Utilities Commission's utility needs; and authorize the General Manager to execute an [Amended and Restated Land Disposition and Acquisition Agreement with 2000 Marin Property, L.P.](#) providing for the City's transfer of 639 Bryant in exchange for acquiring 2000 Marin Street (Block 4346, Lot 003), the relocation of the SFPUC Power Enterprise Utility Field Services to Port property, and the Developer's reimbursement of certain SFPUC costs, subject to approval by the Board of Supervisors. This action constitutes the Approval Action for the relocation of SFPUC Power Enterprise Utility Field Services to Port Properties for the

purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code. (Carlin)

16. Public Comment on matters to be addressed during Closed Session
17. 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:*

18. Conference with Legal Counsel – Pursuant to California Government Code Section 54956.9 (d) (2) and San Francisco Administrative Code Section 67.10 (d) (2) (Shenfield)

Anticipated Litigation - City as Defendant

Settlement of Lionel Tan and Dr. Ho Tan's anticipated litigation involving 17 Cayuga Ave.: 2017 Flooding; City Attorney File No: 19-0878. Proposed settlement of unlitigated claim with the claimants' release of all claims and the City to pay \$47,000.

19. 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

20. 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*

21. 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*

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)
24. Adjournment

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