



SAN FRANCISCO PUBLIC UTILITIES COMMISSION
City and County of San Francisco

London N. Breed
Mayor

REGULAR MEETING AGENDA
Tuesday, April 25, 2023
1:30 PM

1 Dr. Carlton B. Goodlett Place
City Hall, Room 400

Members of the San Francisco Public Utilities Commission (SFPUC) will attend this meeting in-person. Members of the public are invited to observe the meeting in-person or remotely by watching live online as described below. Members of the public attending the meeting in person or remotely will have an opportunity to provide public comment on every action or discussion item.

Members of the public are encouraged to provide public comment by email. Send an email to Commission@sfgwater.org by 5 pm the day before the meeting to ensure your comment is received by the Commission in advance of the meeting. All comments received will be made part of the official record.

REMOTE MEETING ACCESS

Watch: <https://www.sfgovtv.org/sfpuc>

REMOTE PUBLIC COMMENT CALL-IN: 1 (415) 655-0001/ACCESS CODE 2590 586 2917 # #
(No Passcode Required)

*When your item is called, press *3 to be added to the public comment speaker line. Commenters will have up to two minutes to provide comment unless otherwise noted by the Chair. Please speak clearly, ensure you are in a quiet location, and turn off any TV's or computers around you.*

Commissioners

Newsha Ajami, President
Sophie Maxwell, Vice President
Tim Paulson
Anthony Rivera
Kate H. Stacy

Dennis J. Herrera
General Manager

Donna Hood
Commission Secretary

Accessible Meeting Policy: City Hall, Room 400 is wheelchair accessible. The meeting will be broadcast and captioned on SFGovTV. Remote public participation is available upon request for individuals who cannot attend in person due to disability. Making a request to participate remotely no later than one hour before the start of the meeting helps ensure availability of the meeting link. Sign Language Interpretation is also available upon request. Sign Language Interpretation is available upon request. If requesting Sign Language Interpretation, please submit an accommodation request a minimum of four business hours before the start of the meeting. Allowing a minimum of 48 business hours for all other accommodation requests (for example, all other auxiliary aids and services) helps ensure availability. To request accommodation, please contact the Commission Secretary at Commission@sfgov.org or 415-554-3165.

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 sotf@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 / ความช่วยเหลือฟรี / “งก” “ซ” โดยไม่ต้องเสียค่าใช้จ่าย / 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 of [April 11, 2023](#)
4. Report of the General Manager (discussion only)
 - a) Report on Recent San Francisco Public Utilities Commission Activities, Events and Announcements
5. [Revenue Bond Oversight Committee Annual Report](#) (discussion only) (Leale)
6. Bay Area Water Supply and Conservation Agency Update (discussion only) (Sandkulla)
7. **CONSENT CALENDAR**

- a) Award [Job Order Contract No. JOC-94](#), General Engineering (A License) Construction, San Joaquin, Stanislaus, and Tuolumne Counties, Hetch Hetchy, for a total contract amount not-to-exceed \$5,000,000 with a minimum guaranteed opportunity amount of \$50,000 and a duration of two years, to the responsible bidder that submitted the lowest responsive bid, Big Valley Electric, to perform general engineering work in San Francisco Public Utilities Commission systems and operations around Hetch Hetchy. (Robinson)
- b) Accept work performed by Pipe and Plant Solutions, Inc. for [Contract No. WW-695](#), As-Needed Sewer Cleaning and Inspection (FY20); approve Modification No. 6 (Final), decreasing the contract amount by \$42,889, for a total contract amount of \$2,009,233, with no change to the contract duration; and authorize final payment to the contractor. (Robinson)
- c) Approve an increase of 110 calendar days to the contract duration contingency for [Contract No. WW-715](#), As-Needed Spot Sewer Replacement No. 43, with J. Flores Construction Company, Inc.; and authorize the General Manager to approve future modifications to the contract for a total contract duration of up to 550 consecutive calendar days (approximately one year and six months), with no change to contract amount, to allow the contractor to continue to perform as-needed replacement of localized sections of existing sewer pipelines, if needed, until August 2023, which is when the San Francisco Public Utilities Commission anticipates to issue Notice to Proceed for Contract No. WW-716, As-Needed Spot Sewer Replacement No. 44. (Robinson)

REGULAR CALENDAR

8. Approve an increase to the [San Francisco Public Utilities Commission FY 2022-23 overtime budget](#) by \$1,500,000 and an offsetting decrease in the regular salary budget of \$1,500,000 to cover the anticipated overspend in overtime through the end of the fiscal year; and authorize the General Manager to request the Mayor to submit a supplemental appropriation request to the Board of Supervisors. (Hom)

9. Approve Amendment No. 3 to [Contract No. PRO.0078](#), Helicopter Services for Hetch Hetchy Water and Power, with A&P Helicopters, Inc., to increase the contract amount by \$240,000 and extend the contract termination date by two years to provide continued use of helicopter services for aerial inspection of transmission towers and lines, and transport for emergency response and equipment to inaccessible areas; and authorize the General Manager to execute this amendment, for a total contract amount of \$990,000. (Ritchie)
10. Award [Contract No. WW-716](#), As-Needed Spot Sewer Replacement No. 44, in the amount of \$9,796,468, and with a duration of 400 consecutive calendar days (approximately one year and one month), to the sole, qualified, responsible, and responsive bidder, J. Flores Construction Company, Inc., to replace sections of existing sewer pipe on an as-needed basis at locations to be determined throughout the City of San Francisco, California. In accordance with San Francisco Administrative Code section 6.23(c)(2), a single bid may be accepted if the bid amount is lower than the engineer's estimate, and Contractor's bid was below the engineer's estimate. (Robinson)
11. Authorize the General Manager to execute a [Memorandum of Understanding with the San Francisco Local Agency Formation Commission](#) to perform services for CleanPowerSF, for an amount including remaining funds and up to \$600,000 in new funds over the duration of the agreement, for a term of three years and two months commencing May 1, 2023. (Hale)
12. Communications (information only)
 - a) [Advance Calendar](#)
 - b) [Contract Advertisement Report](#)
 - c) [Correspondence Log](#)
 - d) [Annual Electric Reliability Compliance Program Report](#)
 - e) [Water Supply Conditions Update](#)
13. 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.
14. Items initiated by Commissioners (discussion only)
15. Public comment on the matters to be addressed during Closed Session
16. 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

17. CONFERENCE WITH LEGAL COUNSEL regarding litigation Government Code §54956.9, Administrative Code §67.10(d)(1):

Perez Farms Inc. v. City and County of San Francisco, et al.
Stanislaus County Superior Court Case No. CV-18-000202
City and County of San Francisco v. Richard F. Bettencourt, et al.

Stanislaus County Superior Court Case No. CV-19-006916 [related cases]

Date Filed: November 15, 2019

Proposed settlement of dispute concerning damage to property owned by the City and County of San Francisco under the jurisdiction of the San Francisco Public Utilities Commission; parties to pay San Francisco \$300,000, subject to final approval by the Board of Supervisors. (action item)
(Bregman)

18. CONFERENCE WITH LEGAL COUNSEL – regarding anticipated litigation (Government Code §54956.9, Administrative Code §67.10(d)(1):

Wing Kwok and Lai Leng Lei v. City and County of San Francisco

Unlitigated Claim File No.: 23-00682

Date Filed: November 8, 2022

Proposed settlement of an unlitigated claim for property damage resulting from a ruptured water main with the City to pay Wing Kwok and Lai Leng Lei \$71,000 in exchange for a full and final release, subject to final approval by the Board of Supervisors. (action item) (Bregman)

19. CONFERENCE WITH LEGAL COUNSEL – regarding anticipated litigation (Government Code §54956.9, Administrative Code §67.10(d)(1):

Con-Quest Contractors, Inc. v. Esquivel Grading & Paving, Inc., et al.

San Francisco County Superior Court Case No. CGC-20-587321

Date Filed: October 27, 2020

Proposed settlement of a contract dispute under Public Works Contract No. 2267J, Columbus Avenue Pavement Renovation and Water Main Replacement, where the City will pay \$250,000 to Con-Quest Contractors, Inc., in exchange for a full and final release. Action to approve settlement subject to final approval by the Board of Supervisors. (action item) (Bregman)

Following Closed Session, the Commission will reconvene in Open Session

20. Announcement following Closed Session

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

22. Adjournment.

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