



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

REGULAR MEETING AGENDA
Tuesday, April 26, 2022
1:30 PM

1 Dr. Carlton B. Goodlett Place
City Hall, Room 400
San Francisco, CA 94102

This meeting will be held in person at the location listed above. As authorized by California Government Code Section 54953(e) and Mayor Breed's 45th Supplement to her February 25, 2020 emergency proclamation, it is possible that some members of the San Francisco Public Utilities Commission may attend this meeting remotely. In that event, those members will participate and vote by video. Members of the public may attend the meeting to observe and provide public comment at the physical meeting location listed above or may

watch live online at <https://www.sfgovtv.org/sfpuc>

Instructions for providing remote public comment are below

PUBLIC COMMENT CALL-IN:

1 (415) 655-0001 / MEETING ID: 2495 661 8235 # #

Commissioners

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


Dennis J. Herrera
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. Providing at least 72 hours' notice will help to ensure availability. Written reports or background materials for calendar items are available on-line at the [Commission website](#).

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. 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 “โดยไม่ว່ ส่วยค่าใช้จ่าย / 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. Adopt renewed findings under [State Urgency Legislation](#) to allow hybrid in-person meetings during the COVID-19 Emergency and direct the Commission Secretary to agendize a similar resolution at a Commission Meeting within the next 30 days.
4. [Approval of the Minutes of April 12, 2022](#)
5. 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
6. Communications (discussion only)
 - a) [Advance Calendar](#)
 - b) [Contract Advertisement Report](#)
 - c) [Correspondence Log](#)
 - d) [Fiscal Year 2020-21 Report on CleanPowerSF Program Pursuant to Ordinance 223-15](#)
 - e) [Streetlight Program Update](#)
7. San Francisco Public Utilities Commission Employee Retirement Recognitions for distinguished service to the San Francisco Public Utilities Commission and the City and County of San Francisco (discussion only) (Herrera)
 - John Martin
 - Manfred Wong
 - Marge Vizcarra
8. Bay Area Water Conservation Agency Update (discussion only) (Sandkulla)
9. Report of the General Manager (discussion only)
 - a) [Drought Conditions Update](#)
 - b) Report on Recent San Francisco Public Utilities Commission Activities, Events and Announcements
10. New Commission Business (discussion only)

11. CONSENT CALENDAR

- a) Approve the terms and conditions and authorize the General Manager to execute an eight-year [Communications Site Lease](#) (Lease) to the County of San Mateo (San Mateo County) as tenant to use approximately 40,000 square feet of San Francisco Public Utilities Commission Parcel 31 located on the north peak of Montara Mountain in an unincorporated area in San Mateo County, California, to install, operate, maintain and repair a communications facility for the transmission and reception of radio communication signals for an annual rent of \$2,400, subject

to four-percent annual increases. The Lease will replace an existing outdated revocable permit with San Mateo County. (Carlin)

- b) Accept work performed by A. Ruiz Construction Co. & Assoc., Inc., for [Contract No. WD-2820R](#), San Francisco Local Water As-Needed Paving (FY 16-19); approve Modification No. 4 (Final), increasing the contract by \$921,406 for a total contract amount of \$22,940,706, with no change to the contract duration; and authorize final payment to the contractor. (Johanson)
- c) Approve an increase of \$101,000 to the contract cost contingency and an increase of 730 calendar days (approximately two years) to the contract duration contingency for [Contract No. WD-2851\(I\)](#), 525 Golden Gate Avenue As-Needed Mechanical Systems Inspection, Maintenance, and Repairs (2019-2021); and authorize the General Manager to approve future modifications to the contract for a total contract amount of up to \$706,000 and a total contract duration of up to 1,934 consecutive calendar days (approximately five years and four months). (Johanson)

REGULAR CALENDAR

- 12. Approve the terms and conditions of and authorize the General Manager to recommend to the Board of Supervisors and Mayor approval of a [First Amendment to Lease](#) (First Amendment) with Kristian A. Akseth, Lilly B. Akseth, and Libkra Investment Corporation, a California corporation, collectively as Landlord (Landlord) and the City, through the SFPUC, as tenant. The First Amendment provides for the continued use by the SFPUC Water Enterprise City Distribution Division of a warehouse and offices at 1980 Oakdale Avenue in San Francisco, for a term of eight years from January 1, 2023 to December 31, 2030. Base rent for the extension term will be \$85,337.85 per month for the first year, subject to annual Consumer Price Index increases. The City will have the unilateral right to terminate the lease, without penalty, after December 31, 2027, upon 270 days advance notice to the Landlord. (Carlin)
- 13. Adopt revised [San Francisco Public Utilities Commission's Fund Balance Reserve Policy](#) incorporating a CleanPowerSF Fund Balance Reserve and replace the existing CleanPowerSF Reserves Policy. (Perl)
- 14. Public Hearing and possible action to approve the scope, schedule, and budget of the [March 2022 Proposed Revised Water System Improvement Program](#); and direct staff to send a Notice of Change Report to the State Water Resources Control Board and the Alfred E. Alquist Seismic Safety Commission in compliance with California Water Code Section 73500 et seq. (Johanson)
- 15. Public comment on matters to be addressed during Closed Session
- 16. Motion on whether to assert the attorney-client privilege regarding the matter listed below as Conference with Legal Counsel

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

CLOSED SESSION

17. CONFERENCE WITH LEGAL COUNSEL – Pursuant to California Government Code, Section 54956.9(d)(2), and San Francisco Administrative Code, Section 67.10(d)(2) (action item) (Bregman)

Settlement of Unlitigated Claim

Annie Jew v. City and County of San Francisco

Unlitigated File No. 22-00926

Proposed settlement of an unlitigated claim by Annie Jew against the City and County of San Francisco, with the City to pay Annie Jew \$30,000 in exchange for a full and final release.

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)
20. Adjournment

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