



SAN FRANCISCO PUBLIC UTILITIES COMMISSION
City and County of San Francisco

London N. Breed
Mayor

REGULAR MEETING AGENDA
Tuesday, June 9, 2020
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:

USA Toll-Free: 888-273-3658 / ACCESS CODE: 3107452

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. Members of the public are encouraged to submit their public comment on agenda items in advance of the teleconference meeting by emailing comments to Commission@sfgwater.org, or by leaving your comment via voicemail at 415-554-3165. Comments submitted no later than 5 PM the Monday before the meeting will be read into the record by the Secretary during the teleconference meeting and will be treated as a substitute to providing public comment by phone during the meeting. Persons who submit written public comment in advance on an agenda item or items will not be permitted to also provide public comment on the same agenda item(s) by phone during the meeting.

Commissioners

Ann Moller Caen, President
Francesca Vietor, Vice President
Anson Moran
Sophie Maxwell
Tim Paulson

Harlan L. Kelly, Jr.
General Manager

Donna Hood
Secretary

Remote Meeting Access

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Providing Public Comment – Instructions

1. **DIAL toll-free number 888-273-3658.**
2. Enter **ACCESS CODE 3107452** and then **press #**.
3. **Press #** again to join the meeting as a participant.
4. When the Secretary calls for public comment **dial ‘1’ then ‘0’** to be added to the speaker line.
5. When the system message indicates your line is unmuted, and after you hear a tone, you may begin your public comment.
6. You will have 2 minutes to provide your comments.
7. Once your 2 minutes have ended you will be moved out of the speaker line and back to listening as a meeting participant.
8. Participants who wish to provide public comment on other agenda items may stay on the meeting line and listen for the Secretary’s prompt.

BEST PRACTICES

- Call from a quiet location
- Speak slowly and clearly
- Turn down any televisions or radios around you
- Address the Commission as a whole, do not address individual Commissioners

Accessible Meeting Policy: To obtain meeting materials in alternative format, please contact the Commission Secretary at 415-554-2165 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 <http://www.sfgwater.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 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 / คว่่มข้ ยเหลลลลล
ท่่งภ่ข้“โดยไม่ว่ ส่ยคาคไขจ้าย / Libreng tulong para sa wikang Tagalog ยเหลลลลล

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 May 26, 2020](#)
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) [Contract Advertisement Report](#)
 - b) [Correspondence Log](#)
 - c) [Bay Area Watershed and Rights of Way Lands Wildfire Preparedness Update](#)
 - d) [Alternative Water Supply Planning Quarterly Report](#)
 - e) [CleanPowerSF Quarterly Report](#)
 - f) [General Manager Contract Delegation Report January to March 2020](#)
 - g) [Water Supply Conditions Update](#)
6. Report of the General Manager (discussion only)
 - a) Update on SFPUC Operations During COVID-19 Emergency
 - b) Sewer System Improvement Program Quarterly Report
7. [Sewer System Improvement Program Major Projects Update](#)
8. New Commission Business (discussion only)

CONSENT CALENDAR

9. *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 Modification No. 1 to [Job Order Contract, JOC-53R3](#), Electrical (C-10 License) for San Francisco, San Mateo, Santa Clara and Alameda Counties, with US Electric Technologies, Inc., to complete ongoing facility and asset improvements, increasing the duration by 1,095 consecutive calendar days (three years), for a total contract duration of 1,825 consecutive calendar days (five years), in accordance with San Francisco Administrative Code 6.62, with no change in the contract amount. (How)
 - b) Approve Modification No. 1 to [Job Order Contract, JOC-77](#), Micro- LBE Set Aside, General Engineering (A-License) for San Francisco, San Mateo, Santa Clara and Alameda Counties, with R&S Construction Management, to complete ongoing facility and asset improvements, increasing the contract amount by \$1,000,000 and

increasing the contract duration by 1,095 consecutive calendar days (three years), for a total contract amount not-to-exceed \$3,000,000, and a total contract duration of 1,825 consecutive calendar days (five years), in accordance with San Francisco Administrative Code Section 6.62. (How)

- c) Authorize the General Manager to execute Amendment No.1 to the [Multi-Party Cost Share Agreement](#) with Contra Costa Water District, Alameda County Flood Control and Water Conservation District, Zone 7, Alameda County Water District, Bay Area Water Supply & Conservation Agency, the City of Brentwood, East Bay Municipal Utility District, Grassland Water District, San Luis & Delta-Mendota Water Authority, and Valley Water (formerly Santa Clara Valley Water District) for the planning of the potential expansion of Los Vaqueros Reservoir, extending the Agreement by six months, until December 31, 2020, for a total duration of 20 months, with no change in the contract amount. (Ritchie)

REGULAR CALENDAR

10. Approve Amendment No. 2 to [Agreement No. CS-389](#), Planning and Engineering Services Southeast Plant New 250 MGD Headworks Facility, with Carollo Engineers, Inc., for specialized wastewater process facility engineering design and engineering services during construction for Construction Contract No. WW-628, Southeast Water Pollution Control Plant New Headworks Facility Project; and authorize the General Manager to execute this amendment, increasing the agreement amount by \$21,000,000, and increasing the agreement duration by two years, for a total not-to-exceed agreement amount of \$54,500,000 and a total agreement duration of 11 years, subject to the Board of Supervisors approval pursuant to Charter Section 9.118. (How)
11. Adopt resolution (1) rescinding Commission Resolution No. 20-0091 adopted on May 12, 2020 and (2) approving the [Water Supply Assessment](#) for the proposed San Francisco Gateway Project which would construct two new mixed-use production, distribution, and repair buildings at 749 Toland Street and 2000 McKinnon Street in the Bayview Hunters Point Plan area, pursuant to the State of California Water Code Section 10910 *et seq.*, California Environmental Quality Act Section 21151.9, and CEQA Guidelines Section 15155. (Ritchie)
12. Approve a [Water Infrastructure Finance and Innovation Act](#) (WIFIA) loan agreement with the United States Environmental Protection Agency in the amount of \$699,242,023 to replace the existing 2018 WIFIA Loan Agreement in the same amount for the Wastewater Enterprise's Biosolids Digester Facilities Project for the purpose of reducing the loan interest rate from 3.09% to an estimated 1.84% interest rate. (Sandler)
13. Approve a [new Water Infrastructure Finance and Innovation Act](#) loan agreement with the United States Environmental Protection Agency in an amount up to \$525,000,000 to provide partial funding for the Wastewater Enterprise's Headworks Project and Biosolids Digester Facilities Project, both of which are projects of the Sewer System Improvement Program located at the Southeast Treatment Plant. (Sandler)

14. Adopt a resolution (1) accepting the report on the San Francisco Public Utilities Commission (SFPUC) [Wildfire Mitigation Plan](#) from the Independent Evaluator in accordance with Public Utilities Code Section 8387(c), and (2) adopting the revised version of the SFPUC Wildfire Mitigation Plan, to be submitted to the California Wildfire Safety Advisory Board, prior to July 1, 2020. (Ritchie)
15. Public comment on 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 - Pursuant to California Government Code Section 54956.9 (d) (2) and San Francisco Administrative Code Section 67.10 (d) (2) (action item) (Whipps)

Existing Unlitigated Claim

Chez Maman West v. City and County of San Francisco

Unlitigated File No.: 20-01490 / Date Filed: January 8, 2019

Proposed settlement of unlitigated claim with claimant's release of all claims and the City to pay claimant \$36,664.99

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) (action item) (Whipps)

Existing Unlitigated Claim

Francisco Rivero v. City and County of San Francisco

Unlitigated File No.: 20-01452 / Date Filed: January 7, 2020

Proposed settlement of unlitigated claim with claimant's release of all claims and the City to pay claimant \$39,700

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) (Whipps)

Existing Litigation

State Water Board Cases, Sacramento Superior Court, JCCP No. 5013 (originally filed on January 10, 2019 in Tuolumne Superior Court as San Joaquin Tributaries Authority, et al v. California State Water Resources Control Board, Case No. CU62094)

20. 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

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

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