



SAN FRANCISCO PUBLIC UTILITIES COMMISSION
City and County of San Francisco

London N. Breed
Mayor

REGULAR MEETING AGENDA
Tuesday, January 11, 2022
1:30 P.M.

This meeting is being held by Teleconference Pursuant to the Governor's Executive Order N-29-20 and the Twelfth and Forty-First Supplements 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: 2484 344 5883 # #

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

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


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@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 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 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 / ความช่วยเหลือ “งก” “ช” “โดยไม้อ” “ส” “คาไซจ” “าย / 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 continue to allow remote meetings during the COVID-19 Emergency; continue remote meetings for the next 30 days; 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 December 14, 2021](#)
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](#)
7. Report of the General Manager (discussion only)
 - a) [Drought Conditions Update](#)
 - b) [Results of Recent Competitive Sales of Wastewater and Power Revenue Bonds](#)
 - c) [Hetch Hetchy Quarterly Capital Improvement Program Quarterly Report](#)
 - d) [Wastewater Enterprise Quarterly Report Including Southeast Area Major Projects Update \(1\) Biosolids, \(2\) Headworks, and \(3\) 1550 Evans Southeast Community Center](#)
 - e) [Performance Audit of the SFPUC Social Impact Partnership Program: Report of the Office of the Controller, City Services Auditor, Audits Division](#)
 - f) Report on Recent San Francisco Public Utilities Commission Activities, Events and Announcements
8. New Commission Business (discussion only)
9. **CONSENT CALENDAR**
 - a) Approve the terms and conditions of and authorize the General Manager to execute and enter into an [Easement Amendment Agreement](#) between the City of San Francisco, acting by and through the San Francisco Public Utilities Commission, with the Jefferson Elementary School District, an Elementary School District of the County of San Mateo, to permanently affix the currently unused SFPUC floating Pilarcitos pipeline easement of approximately 13,692 square feet over, upon and across that certain real property located at 305 Eastmoor Ave., Daly City, California, currently designated as San Mateo County Assessor's Parcel Number 008-082-160, and more commonly known as the "M.P. Brown Elementary School", at no cost to the SFPUC. (Carlin)

- b) Approve Modification No. 2 to [Job Order Contract, JOC-53R3](#), Electrical (C-10-License), San Francisco, San Mateo, Santa Clara and Alameda Counties, with US Electric Technologies, Inc., to complete ongoing facility and asset improvements, increasing the contract amount by \$2,500,000, for a total not-to-exceed contract amount of \$7,500,000, in accordance with San Francisco Administrative Code 6.62, with no change to the contract duration. (Johanson)
- c) Award [Job Order Contract, JOC-81](#), General Engineering (A-License) for San Francisco, San Mateo, Santa Clara and Alameda Counties, for a total contract amount not-to-exceed \$5,000,000 with a minimum guaranteed opportunity amount of \$50,000 and a contract duration of two years to the responsible bidder submitting the lowest responsive bid, Yerba Buena Engineering, to perform general engineering construction tasks for all San Francisco Public Utilities Commission Enterprise Operations and Bureaus. (Johanson)
- d) Award [Job Order Contract, JOC-83R](#), General Building (B-License) for San Francisco, San Mateo, Santa Clara and Alameda Counties, 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 submitting the lowest responsive bid, Rubecon Builders, Inc., to perform general building construction tasks for all San Francisco Public Utilities Commission Enterprise Operations and Bureaus. (Johanson)
- e) Approve Amendment No. 1 to [Agreement No. PRO.0054.D](#), As-Needed Wastewater and Stormwater Services, with Woodard & Curran, Inc./Hydroconsult Engineers, Inc., Joint Venture, to provide as-needed Wastewater and Stormwater Services; and authorize the General Manager to execute this amendment, increasing the agreement amount by \$2,000,000 and extending the agreement duration by two years and two months, for a total not-to-exceed agreement amount of \$7,000,000 and for a total duration of seven years and two months. (Norby)
- f) Accept work performed by Shimmick Construction for [Contract No. WD-2729](#), Fish Passage Facilities within the Alameda Creek Watershed Project, for a total contract amount of \$43,422,940, and with a total contract duration of 1,991 consecutive calendar days (approximately five years and six months); and authorize final payment to the Contractor. (Johanson)
- g) Approve an increase in the amount of \$2,771,000 to the contract cost contingency and an increase of 207 calendar days to the contract duration contingency for [Contract No. WD-2794B](#), Sunol Long Term Improvements Alameda Creek Watershed Center; and authorize the General Manager to approve future modifications to the contract for a total contract amount of up to \$33,105,700 and a total contract duration of up to 966 consecutive calendar days (approximately two years and eight months). (Johanson)
- h) Approve the plans and specifications and award [Contract No. WD-2843](#), 16-, 12-, and 8-Inch Ductile Iron Water Main Replacement on Diamond St from 27th St to Diamond Heights Blvd, 28th and Duncan Sts from Douglass to Noe Sts, Valley St

from Diamond to Noe Sts, and Noe St from Duncan To Valley Sts, in the amount of \$8,802,037, and with a duration of 663 consecutive calendar days (approximately one year and 10 months), to the responsible bidder that submitted the lowest responsive bid, M Squared Construction Inc., to install 13,640 feet of ductile iron water conveyance pipe, ancillary water service pipe, curb ramps, and pavement restoration. This action constitutes the Approval Action for the Project for the purposes of the California Environmental Quality Act (CEQA) pursuant to Section 31.04(h) of the San Francisco Administrative Code. The Planning Department has determined that this action is exempt from the CEQA. If the item is approved, the Commission will rely on that determination to make its decision.

(Johanson)

- i) Approve an increase of 153 calendar days to the contract duration contingency for [Contract No. WD-2852R](#), San Francisco Westside Recycled Water Irrigation System Retrofits, with Fontenoy Engineering, Inc.; and authorize the General Manager to approve future modifications to the contract for a total contract duration of up to 620 consecutive calendar days (approximately one year and seven months), with no change to contract amount. (Johanson)
- j) Approve an increase of 325 calendar days to the contract duration contingency for [Contract No. WW-697](#), As-Needed Main Sewer Replacement No. 8, with JDB & Sons Construction, Inc.; and authorize the General Manager to approve future modifications to the contract for a total contract duration of up to 765 consecutive calendar days (approximately two years and one month), with no change to contract amount. This action constitutes the Approval Action for the three Contract Service Orders for the purposes of the California Environmental Quality Act (CEQA) pursuant to Section 31.04(h) of the San Francisco Administrative Code. The Planning Department has determined that this action is exempt from the CEQA. If the item is approved, the Commission will rely on that determination to make its decision. (Johanson)
- k) Approve the plans and specifications and award [Contract No. WW-708](#), Various Locations Sewer Replacement No. 12, in the amount of \$3,682,947, and with a duration of 545 consecutive calendar days (approximately one year and six months), to the responsible bidder that submitted the lowest responsive bid, Precision Engineering, Inc., to replace existing sewers on specified streets in the City and County of San Francisco. This action constitutes the Approval Action for the Project for the purposes of the California Environmental Quality Act (CEQA) pursuant to Section 31.04(h) of the San Francisco Administrative Code. The Planning Department has determined that this action is exempt from the CEQA. If the item is approved, the Commission will rely on that determination to make its decision. (Johanson)

REGULAR CALENDAR

- 10. Approve the term and conditions of, subject to Board of Supervisors approval, and authorize the General Manager to execute a no-fee, [10-year Right-of-Way Permit Renewal](#) with the United States Department of the Interior, through the National Park Service, to operate and maintain radio communication facilities and equipment within

Yosemite National Park.

(Carlin)

11. Authorize the General Manager to execute, on behalf of the City and County of San Francisco, a [Memorandum of Agreement](#) (MOA) with the City of San Bruno to provide reimbursement for the planning, design, engineering and construction of an additional 1 MG of emergency water storage in San Bruno's pressure Zone 1/4 at the Cunningham Tank site ("Tank 1"), for a total storage capacity of 3.5 MG as part of the operation of the Regional Groundwater Storage and Recovery (RGSR) Project. The MOA would require total payments of up to \$314,500 with a duration not-to-exceed 24 months. (Ritchie)
12. Approve the selection of APX Incorporated (APX), the sole responsive, responsible, and qualified proposer; award [Agreement No. PRO.0152](#), Power Scheduling Coordination Services and Related Support Services, to APX to assist the San Francisco Public Utilities Commission with power scheduling coordination services needed to support the SFPUC's participation in the California Independent System Operator (CAISO) electricity market, including the processing of SFPUC payments for wholesale electricity transactions; and authorize the General Manager to negotiate and execute a professional services agreement with APX for an amount not-to-exceed \$136,500,000, with payments to APX in an amount not-to-exceed \$6,000,000 for the scheduling coordinator services and \$130,500,000 in pass-through payments to the CAISO which will be processed by APX without a markup and with a duration of five years, subject to Board of Supervisors approval pursuant to Charter Section 9.118. (Hale)
13. Authorize the General Manager to execute a [Memorandum of Understanding](#) with the San Francisco Recreation and Park Department setting forth each agency's respective responsibilities for the construction, operation, and maintenance of green infrastructure in McLaren Park, as part of the construction by the Wastewater Enterprise Capital Improvement Program Upper Yosemite Creek Daylighting Early Implementation Project. (Norby)
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 item:

CLOSED SESSION

16. 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: City and County of San Francisco v. Federal Energy Regulatory Commission, (United States Court of Appeals, D. C. Circuit), No. 20-1313, petition for

review filed August 17, 2020, consolidated with No. 20-1458, petition for review filed November 16, 2020; City and County of San Francisco v. Federal Energy Regulatory Commission, (United States Court of Appeals, D. C. Circuit), No. 20-1084, petition for review filed March 23, 2020; consolidated with No. 20-1297, petition for review filed August 3, 2020; 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; California Public Utilities Commission Case No. R.19-09-016, filed January 10, 2019; and California Public Utilities Commission Case No. P. 21-07-012, filed July 27, 2021.

Following Closed Session, the Commission will reconvene in Open Session

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

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