



SAN FRANCISCO PUBLIC UTILITIES COMMISSION
City and County of San Francisco

London N. Breed
Mayor

REGULAR MEETING AGENDA
Tuesday, March 14, 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 / MEETING ID: 2498 601 9823

*When the item is called, press *3 to be added to the speaker line. When prompted, 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 / Librang 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 February 28, 2023](#)
4. Report of the General Manager (discussion only)
 - a) [Water Supply Conditions Update](#)
 - b) [Audited Financial Statements \(Fiscal Year 2021-22\)](#)
 - c) [Water Enterprise Capital Improvement Program Quarterly Report](#)
 - d) [Water System Improvement Program Quarterly Report](#)
 - e) Report on Recent San Francisco Public Utilities Commission Activities, Events and Announcements

5. CONSENT CALENDAR

- a) Award [Job Order Contract No. JOC-92](#), 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, Sierra Mountain Construction, Inc., to perform general engineering work in San Francisco Public Utilities Commission systems and operations around Hetch Hetchy. (Robinson)
- b) Approve a \$250,000 increase to the contract cost contingency and a 120 calendar day increase to the contract duration contingency for [Contract No. WD-2871](#), Sunol Valley Water Treatment Plant and Chloramination Facility Aqua Ammonia Structural Repairs and Tank Replacement, with Cal State Constructors, for safe and proper cleaning and disposal of existing aqua ammonia tanks and for delays associated with the fabrication of new stainless steel tanks; and authorize the General Manager to approve future modifications to the contract for a total contract amount of up to \$2,279,883 and a total contract duration of up to 721 consecutive calendar days (approximately two years). (Robinson)
- c) Approve an increase of \$2,000,000 to the contract cost contingency, and an increase of 368 calendar days to the contract duration contingency for [Contract No. WW-662R](#), Southeast Water Pollution Control Plant (SEP) Power Feed and Primary Switchgear Upgrades, with Blocka Construction, Inc., to address additional differing site conditions, design clarifications, and potential additional extended Contractor's overhead related to the continued delay in delivery of SFPUC power to SEP and the extra time anticipated for installation of the substations; and authorize the General Manager to approve future modifications to the contract for a total contract amount of up to \$35,818,620 and a total contract duration of up to 1,655 consecutive calendar days (approximately four years and six months). (Robinson)
- d) Approve the terms and conditions and authorize the General Manager to execute an [eight-year communications site lease to New Cingular Wireless PCS LLC](#), doing business as AT&T Mobility, a Delaware limited liability company, to use approximately 400 square feet of space on the third floor of Building No. 800 of the Southeast Treatment Plant and certain

space on the rooftop of Building No. 800 for antenna equipment, all located at 1701 Jerrold Avenue, San Francisco, California, constituting a portion of Assessor's Block 5280, Lot 001, to operate, maintain, repair, and replace existing telecommunications facilities and related equipment at an annual rent of \$91,261.32 with four percent annual increases. (Flynn)

- e) Approve the terms and conditions and authorize the General Manager to execute an [eight-year communications site lease with New Cingular Wireless PCS, LLC](#), doing business as AT&T Mobility, a Delaware limited liability company, to use approximately 360 square feet of SFPUC Parcel 65 in the unincorporated Town of Sunol, California to operate, maintain, repair, and replace an existing telecommunications facility and related equipment for an annual rent of \$63,606.24, with four-percent annual increases. (Flynn)

REGULAR CALENDAR

6. Approve a form [Master License for Outdoor Distributed Antenna System Pole Installation](#) (2023 Master License) for placement of pole-mounted wireless facilities on streetlight poles owned by the San Francisco Public Utilities Commission; and delegate authority to the General Manager to execute the 2023 Master License and Pole License agreements allowing wireless telecommunications providers to install facilities on SFPUC poles. The City has reached final agreements with four companies – ATT, Verizon, ExteNet, and Mobilitie. The fees paid under the 2023 Master License are projected to cover the cost to implement the agreement. (Hale)

7. Communications (information only)

- a) [Advance Calendar](#)
- b) [Contract Advertisement Report](#)
- c) [Correspondence Log](#)
- d) [2009 Water Supply Agreement Update](#)
- e) [Alternative Water Supply Program Quarterly Report](#)
- f) [Annual Comprehensive Financial Report \(Fiscal Year 2021-22\)](#)
- g) [Fiscal Year 2021-23 Report on CleanPowerSF Program Pursuant to Ordinance 223-15](#)
- h) [Popular Annual Financial Report \(Fiscal Year 2021-22\)](#)

8. 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.

9. Items initiated by Commissioners (discussion only)

10. Public comment on the matter to be addressed during Closed Session.

11. 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 items:

CLOSED SESSION

12. CONFERENCE WITH LEGAL COUNSEL regarding existing litigation (Government Code

§54956.9 (d)(1) and San Francisco, Administrative Code §67.10(d)(1)) (action item)
(Bregman)

M. Hernandez Construction, Inc. dba Hernandez Construction vs. City and County of San Francisco (San Francisco County Superior Court Case No. CGC-22-598639), filed March 11, 2022.

Proposed settlement of a public work contract dispute under Contract No. WW-622 / 2644J, Haight-Ashbury/Tenderloin/Diamond Heights Districts Sewer Replacement and Pavement Renovation, where the City will pay \$137,000 to M. Hernandez Construction, Inc. in exchange for a full and final release, subject to approval by the Board of Supervisors.

Following Closed Session, the Commission will reconvene in Open Session

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

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