



## **SAN FRANCISCO PUBLIC UTILITIES COMMISSION**

City and County of San Francisco

**London N. Breed**

Mayor

### **REGULAR MEETING AGENDA**

**Tuesday, July 28, 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.

### **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

### WATCH:

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

### PUBLIC COMMENT CALL-IN:

USA Toll-Free: 888-273-3658

ACCESS CODE: 3107452

### 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](mailto: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](mailto: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 / คว่"มขง" ยเหลลลล  
ท่"งภ"ษ"โดยไม่ว่ ส่ยคาคไขจ้าย / Libreng tulong para sa wikang Tagalog ยเหลลลล

**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](http://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 July 14, 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) [Water Supply Conditions Update](#)
6. Report of the General Manager (discussion only)
  - a) Update on SFPUC Operations During COVID-19 Emergency
  - b) [Annual Real Estate Update](#)
  - c) [CleanPowerSF Integrated Resource Plan](#)
  - d) [General Manager Contract Delegation of Authority Report](#)
  - e) [Water Enterprise Capital Improvement Program Quarterly Report](#)
  - f) Southeast Plant Biosolids Project, Jerrold Avenue Closure, Planning and Community Engagement
  - g) Report on Recent San Francisco Public Utilities Commission Activities, Events and Announcements
7. Ocean Beach Climate Adaption Update (discussion only) (How)
8. Bay Area Water Supply and Conservation Agency Update (discussion only) (Sandkulla)
9. New Commission Business (discussion only)

## CONSENT CALENDAR

10. *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) Accept work performed by Sierra Mountain Construction Inc. for [Contract No. HH-995](#), Hetch Hetchy & Cherry Lake Road Guardrail Improvement, for a total contract amount of \$1,824,761 and with a total contract duration of 344 consecutive calendar days (approximately 11 and one-half months); and authorize final payment to the contractor. (Ritchie)

- b) Approve Modification No. 1 to [Job Order Contract \(JOC\) No. JOC-70](#), General Engineering (A-License) for San Francisco, San Mateo, Santa Clara and Alameda Counties, with Hernandez Engineering, to complete ongoing facility and asset improvements, increasing the contract amount by \$2,500,000 for a total contract amount not-to-exceed \$7,500,000, and increasing the contract duration by 1,095 consecutive calendar days (three years) for a total contract duration of 1,825 consecutive calendar days, in accordance with San Francisco Administrative Code 6.62. (How)
- c) Approve Modification No. 1 to [Job Order Contract, \(JOC\) No. JOC-76R](#), General Engineering (A-License) for San Francisco, San Mateo, Santa Clara and Alameda Counties, with Anvil Builders, Inc., to complete ongoing facility and asset improvements, increasing the contract 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)
- d) Approve an increase of \$1,500,000 to the existing contract cost contingency for [Contract No. WD-2687R](#), Auxiliary Water Supply System Pumping Station No. 2 Improvements (2016); and authorize the General Manager to approve future modifications to the contract for a total contract not-to-exceed amount of up to \$21,244,038. (How)
- e) Accept work performed by M. Hernandez Construction, Inc. for [Contract No. WW-622](#), Haight-Ashbury/Tenderloin/Diamond Heights Districts Sewer Replacement and Paving Renovation; approve Modification No. 9 (Final), decreasing the contract amount by \$528,755, for a total contract amount of \$4,450,447, and increasing the contract duration by 201 consecutive calendar days (approximately seven months), for a total contract duration of 886 consecutive calendar days (approximately two years and five months); and authorize final payment to the contractor. (How)
- f) Accept work performed by J. Flores Construction, Inc. for [Contract No. WW-646](#), As-Needed Spot Sewer Replacement No. 36, for a total contract amount of \$9,354,642, and a total contract duration of 400 consecutive calendar days (approximately one year and one month); and authorize final payment to the Contractor. (How)
- g) Approve an increase of 140 consecutive calendar days (approximately five months) to the contract duration contingency for [Contract No. WW-655](#), As-Needed Main Sewer Replacement No. 7, and NTP for [Contract No. WW-697](#), with Precision Engineering, Inc.; and authorize the General Manager to approve future modifications to the contract for a total contract duration of up to 580 consecutive calendar days (approximately one year and seven months), with no change to contract amount. (How)

## REGULAR CALENDAR

- 11. Authorize implementation in October 2020 of a [one-time customer assistance bill credit](#) for the following types of CleanPowerSF customers who are enrolled in the

California Alternate Rates for Energy (CARE) or Family Electric Rate Assistance (FERA) low-income programs by September 30, 2020: (1) a credit of \$50 for single-family residential customers, (2) a credit of \$3,000 for multi-family residential customers, and (3) a credit of \$750 for non-profit small-commercial customers.  
(Hale)

12. Authorize the General Manager to [temporarily suspend through January 15, 2021 the following rules](#) due to the COVID-19 emergency: (a) the discontinuation or shut off of water service for City retail customers for non-payment of water and/or sewer bills, (b) the imposition of late payment penalties or fees for delinquent water and/or sewer bills, (c) the discontinuation or shut off of power service for SFPUC Hetch Hetchy Power Customers in San Francisco for non-payment of power bills, (d) the imposition of late payment penalties or fees for delinquent Hetch Hetchy Power Customer accounts, and (e) the return of delinquent CleanPowerSF Customers to PG&E generation service for failure to pay CleanPowerSF charges. (Sandler)
13. Approve the plans and specifications, and award [Contract No. WW-662R](#), Southeast Water Pollution Control Plant Power Feed and Primary Switchgear Upgrades, in the amount of \$30,744,200 and with a duration of 1,170 consecutive calendar days (approximately three years and three months) to the responsible bidder submitting the lowest responsive bid, Blocka Construction, Inc., to upgrade the existing primary switchgear, substations, and related electrical system at the Southeast Water Pollution Control Plant and nearby facilities. This action constitutes the Approval Action for the project for the purposes of California Environmental Quality Act, pursuant to Section 31.04(h) of the San Francisco Administrative Code. (How)
14. Approve an increase of \$6,140,764 to the existing contract cost contingency for [Contract No. WW-682R](#), Southeast Community Center at 1550 Evans; and authorize the General Manager to approve future modifications to the contract for a total contract amount of up to \$84,440,142, with no change to contract duration. (How)
15. Approve the plans and specifications, and award [Contract No. WW-693](#), As-Needed Spot Sewer Replacement No. 40, in an amount not-to-exceed \$9,689,823, and with a duration of 400 consecutive calendar days (approximately one year and three months), to the sole, qualified, responsible bidder, J. Flores Construction Company, Inc., in accordance with San Francisco Administrative Code 6.23(c)(2), to replace sections of existing sewer piping, on an as-needed basis, at locations to be determined throughout the City of San Francisco. (How)
16. Authorize the General Manager of the San Francisco Public Utilities Commission to execute a [Cooperative Agreement](#) between the SFPUC and The Energy Council for the implementation of the Bay Area Regional Heat Pump Water Heater Contractor Incentive Program, for an amount not to exceed \$450,000 and a term expiring on March 31, 2023. (Hale)
17. Approve the terms and conditions of, and authorize the General Manager to execute, a [Redesign, Relocation, and Reimbursement Agreement](#) with the Peninsula Corridor Joint Powers Board (JPB) to reimburse the JPB for the costs to redesign and

relocate two planned electrical poles to a location outside of SFPUC Parcel No. 205-A near Escuela Avenue and Crisanto Avenue in Mountain View, California, pursuant to an Easement Deed, at a cost to the SFPUC not to exceed \$216,132. (Carlin)

18. Public comment on matters to be addressed during Closed Session
19. 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**

20. 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) (Gessner)

#### Existing Unlitigated Claim

*Richard I. Klein and Janice T. Low v. City and County of San Francisco*

Unlitigated File No.: 20-01450 / Date Filed: December 21, 2019

Proposed settlement of unlitigated claim with claimant's release of all claims and the City to pay claimant \$103,786.91.

21. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9 (d) (4) and San Francisco Administrative Code Section 67.10 (d) (2) (discussion only) (Whipps)

#### Anticipated Litigation as Plaintiff

*Following Closed Session, the Commission will reconvene in Open Session*

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

San Francisco Public Utilities Commission  
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San Francisco, CA 94102