



SAN FRANCISCO PUBLIC UTILITIES COMMISSION
City and County of San Francisco

London N. Breed
Mayor

REGULAR MEETING AGENDA
Tuesday, May 26, 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

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. 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 12, 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) [Annual Schedule of Rates and Charges for Non-Municipal, Residential, Commercial Electric Service](#)
 - d) [Water Supply Conditions Update](#)
 - e) [Water System Improvement Program Status of Construction Change Orders](#)
6. Report of the General Manager (discussion only)
 - a) Update on SFPUC Operations During COVID-19 Emergency
7. New Commission Business (discussion only)

CONSENT CALENDAR

8. *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 Anvil Builders, Inc., for [Contract No. WD-2713](#), 48-Inch Diameter Water Main Replacement on Putnam Street from Peralta Avenue to Cortland Avenue; approve Modification No. 4 (Final), increasing the contract amount by \$354,081 for a total contract amount of \$5,615,202, and increasing the contract duration by 117 consecutive calendar days (approximately four months), for a total contract duration of 512 consecutive calendar days (approximately one year and five months); and authorize final payment to the contractor. (How)
 - b) Accept work performed by Shaw Pipelines, Inc. for [Contract No. WW-637](#), Various Locations Sewer Replacement and Pavement Renovation No. 5; approve Modification No. 3 (Final), increasing the contract amount by \$133,286 for a total contract amount of \$4,393,631, and a total contract duration of 554 consecutive calendar days (approximately one year and six months); and authorize final payment to the contractor. (How)

- c) Approve an increase in the amount of \$3,682,329 to the existing contract cost contingency, and an increase of 50 calendar days to the existing contract duration contingency, for [Contract No. WW-686](#), As-Needed Spot Sewer Replacement No. 38; and authorize the General Manager to approve future modifications to the contract for a total contract amount of up to \$13,808,734 and a total contract duration of up to 490 consecutive calendar days (approximately one year and four months). (How)
- d) Approve an increase of \$174,740 to the existing contract cost contingency for [Contract No. WW-695](#), As-Needed Sewer Cleaning and Inspection (FY20); and authorize the General Manager to approve future modifications to the contract for a total contract amount of up to \$2,097,045, with no change to contract duration. (How)

REGULAR CALENDAR

- 9. Approve Amendment No. 3 to [Agreement No. CS-109](#), Specialized Engineering Services, Recycled Water Projects, with Kennedy Jenks Consultants, Inc./Bahman Sheikh Water Reuse Consulting/Water Resources Engineering, Inc. a Joint Venture, to provide additional technical and engineering services in support of the Westside Recycled Water Project; and authorize the General Manager to execute this amendment, increasing the contract amount by \$2,500,000 and increasing the contract duration by two years, for a total not-to-exceed agreement amount of \$10,500,000 and a total duration of 14 years, subject to the Board of Supervisors approval pursuant to Charter Section 9.118. (How)
- 10. Public Hearing: Adopt a new [schedule of Hetch Hetchy Power Enterprise General Use Municipal Electricity Service Rates for Fiscal Years 2020-21 and 2021-22](#) to take effect only July 1, 2020 for certain City agencies, certain non-City governmental agencies such as the San Francisco Unified School District, and certain non-profit entities such as the California Academy of Sciences, that are closely related to the City through City governance, financial support, or other legacy relationship. The new schedule would increase General Use Municipal Electrical Rates by \$0.01/kWh each fiscal year. The proposed action constitutes the Approval Action for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code. (Sandler)
- 11. Retroactively authorize the General Manager's implementation on May 12, 2020 of a temporary emergency bill discount for certain San Francisco Public Utilities Commission residential customers who have been financially impacted by the COVID-19 emergency. The [Temporary Emergency Customer Assistance Program for COVID-19 Relief Program](#) provides eligible residential customers with a bill discount of 15% on water, 35% on sewer, and 30% on Hetch Hetchy Power bills for six months spanning from March 4, 2020 to September 4, 2020. (Sandler)
- 12. Authorize the General Manager to negotiate and execute a [Memorandum of Understanding](#) with the Public Works Department, Municipal Transportation Agency, Fire Department, and Port Commission, regarding and the authority and responsibility for operations and maintenance of public improvements at the Mission Rock Special

Use District (also known as Mission Rock); and approve amendments to the Mission Rock Infrastructure Plan. (Carlin)

13. Authorize the General Manager to negotiate and execute a [Memorandum of Understanding](#) with the Port Commission, San Francisco Public Works, the San Francisco Municipal Transportation Agency, and the San Francisco Fire Department regarding each department's operations and maintenance of public improvements at the Pier 70 Special Use District, including improvements located in streets under the Port's jurisdiction. (Carlin)
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 items:

CLOSED SESSION

16. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1) (action item) (Sheinfield)

Existing Litigation

David Alfaro, et al. v. City and County of San Francisco

San Francisco Superior Court No. CGC-15-547492

Date Filed: August 20, 2015

Proposed partial settlement of action as to diminution in property value claims of 19 of numerous plaintiffs arising out of December 2014 stormwater flooding: (1) David and Jessica Alfaro (\$290,000), (2) Joy Caguimbaga/Zenida Restauro (\$240,000), (3) Armando and Maria Castillo (\$200,000), (4) Elaine Choy (\$221,150), (5) John Clay (\$250,000), (6) Ruth Patricia del Castillo (\$150,000), (7) Rizaldy Gache (\$235,000), (8) Susan Garduno (\$235,000), (9) Carlos Gross (\$210,000), (10) Suzanne Houlihan (\$250,000), (11) John and Maria Naniola (\$290,000), (12) Donato and Aurora Ponferrada (\$257,000), (13) Cesar and Fe Ponferrada (\$250,000), (14) Rick Popko /Nancy Huff (\$150,000), (15) Victoria Sanchez (\$220,000), (16) Bing On Seid (\$207,000), (17) Peter So/Diane Chung (\$235,000), (18) Ho Tan (\$295,000), and (19) Chris Tilton/Blane Bachelor (\$210,000)

17. 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)

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