



SAN FRANCISCO PUBLIC UTILITIES COMMISSION
City and County of San Francisco

London N. Breed
Mayor

REGULAR MEETING AGENDA
Tuesday, November 23, 2021
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:

1 (415) 655-0001 / MEETING ID: 146 782 3999 # #

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 / ความช่วยเหลือทางภาษา “โดยไม่ว่า” / Libreng tulong para sa wikang Tagalog ยะเหลือ

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 November 9, 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](#)
 - d) [In-City Solar Development on SFPUC-Owned Reservoirs](#)
7. Bay Area Water Supply and Conservation Agency Update (discussion only) (Sandkulla)
8. Report of the General Manager (discussion only)
 - a) [Quarterly Audit and Performance Review Report](#)
 - b) [Quarterly Budget Status Report](#)
 - c) Report on Recent San Francisco Public Utilities Commission Activities, Events and Announcements
9. New Commission Business (discussion only)

10. CONSENT CALENDAR

- a) Authorize the General Manager to designate Kubota Earthquake Resistant Ductile Iron Pipes and Fittings in the contract specifications as (a) a necessary item that is only available from one source, and (b) to match products already in use at the Project, for Contractor-furnished materials to be used for the [College Hill Reservoir System Improvement Project](#) (Phases 4 and 5), in conformance with San Francisco Administrative Code Section 6.73(e)(1) and Public Contract Code Section 3400(c). (Johanson)
- b) Approve Amendment No. 1 to [Agreement No. PRO.0073](#), Treasure Island Wastewater Treatment Plant & Recycled Water Facility Engineering Services, with Carollo Engineers, Inc., to increase the agreement amount for continued consultant engineering support to the San Francisco Public Utilities Commission in the execution and delivery of the proposed Treasure Island Wastewater Treatment Plant and Recycled Water Facility; and authorize the General Manager to execute

this amendment, increasing the agreement amount by \$1,200,000, with no change to the agreement duration, for a total not-to-exceed amount of \$6,000,000. The total contract duration shall remain unchanged. (Johanson)

- c) Accept work performed by M Squared Construction, Inc., [Contract No. WD-2692](#), 16-inch and 8-inch Ductile Iron Water Main Installation and Sewer Replacement on Geary Boulevard from 32nd to 48th Avenues, for a total contract amount of \$10,270,170, and a total contract duration of 860 consecutive calendar days (approximately two years and four months); and authorize final payment to the contractor. (Johanson)
- d) Approve an increase of 181 calendar days to the contract duration contingency for [Contract No. WD-2819](#), As-Needed Water Main Replacement at Various Locations – No. 2; and authorize the General Manager to approve future modifications to the contract for a total contract duration of up to 1,558 consecutive calendar days (approximately four years and three months), with no change to the contract amount. (Johanson)
- e) Accept work performed by JDB & Sons Construction for [Contract No. WW-611](#), Cutler Avenue, Lower Great Highway, Sloat Boulevard, and Wawona Street Sewer Replacement; approve Modification No. 6 (Final) decreasing the contract amount by \$46,295, for a total contract amount of \$2,281,522, with no change to the contract duration; and authorize final payment to the contractor. (Johanson)

REGULAR CALENDAR

- 11. Public hearing, discussion, and possible action to declare a [Water Shortage Emergency for the San Francisco Public Utilities Commission](#); adopt a systemwide 10% water use reduction from a baseline of FY19-20 that allocates 36% of the available water supply to retail and 64% to wholesale, resulting in a 5% retail customer water use reduction and 13.7% wholesale water use reduction to collectively achieve a systemwide water use reduction of 10%; and confirm an effective date of April 1, 2022 for the mandatory Temporary Drought Surcharge not-to-exceed a 5% increase of current volumetric water and wastewater rates for retail water and wastewater customers. The Water Shortage Emergency will remain in effect until rescinded by the Commission, based on drought conditions, state actions related to curtailments, and customer response to calls for water use reductions. While the Declaration is in effect, staff may recommend further action by the Commission if drought conditions or regulatory actions persist, and the water use reduction target is not met. This action constitutes the Approval Action for the project for the purposes of the California Environmental Quality Act pursuant to Section 31.04(h) of the San Francisco Administrative Code. (Ritchie)
- 12. Accept and expend federal funds sourced by the [American Rescue Plan Act of 2021](#) and administered by the State Water Resources Control Board (SWRB) and the California Community Services Department (CSD) to provide assistance to eligible residential and commercial customers who accrued customer account arrears during the COVID-19 pandemic. (Sandler)

13. Approve the terms and conditions of and authorize the General Manager to execute a [lease with Wu Yee Children's Services](#), a California nonprofit public benefit corporation as tenant, for a term of five years with one three-year option to extend the term, to use approximately 5,398 square feet of ground floor space plus approximately 8,798 square feet of exterior space for a childcare facility at the new Southeast Community Center at 1550 Evans Avenue in San Francisco. (Carlin)
14. Approve the selection of the four highest-ranked proposers, Kennedy/Jenks Consultants, Inc./Terra Engineers, Inc. Joint Venture (KJ/Terra JV), Kleinfelder/Lee Incorporated Joint Venture (Kleinfelder/Lee JV), Stantec Consulting Services (Stantec), and Mott MacDonald Group, Inc. (MMD); award [Agreement Nos. PRO.0167.A-D](#), Multi-Project As-Needed Engineering Services, to provide staff augmentation and engineering planning and design services for Hetch Hetchy Water and Power rehabilitation and replacement, programmatic, operating, regulatory, and emergency repair projects on an as-needed basis; and authorize the General Manager to execute four individual professional services agreements with KJ/Terra JV (PRO.0167.A), Kleinfelder/Lee JV (PRO.0167.B), Stantec (PRO.0167.C), and MMD (PRO.0167.D) each in amount not to exceed \$5,000,000 and with a duration of five years. (Johanson)
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 item:

CLOSED SESSION

17. CONFERENCE WITH LEGAL COUNSEL regarding existing litigation as plaintiff/petitioner (Government Code §54956.9, Administrative Code §67.10(d)(1)): *In the Matter of Initial Orders Imposing Water Right Curtailment and Reporting Requirements in the Sacramento-San Joaquin Delta Watershed on Water Right Nos. S002635, S002636, S002638, S002637, S014379, S015858, S018734, and S018735* (State Water Resources Control Board Administrative Proceeding); *San Joaquin Tributaries Authority v. State Water Resources Control Board* (Fresno County Superior Court Case No. 21CECG02632), filed September 2, 2021; *City and County of San Francisco v. California State Water Resources Control Board, et al.* (Tuolumne County Superior Court Case No. CV 63828), date filed May 14, 2021; *San Joaquin Tributaries Authority, et al. v. California State Water Resources Control Board* (Tuolumne County Superior Court Case No. CV 62094), date filed January 10, 2019, coordinated as State Water Board Cases by order filed May 13, 2019 in Sacramento Superior Court, Judicial Counsel Coordinated Proceeding No. 5013. (discussion only) (Bregman/Whipps)

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