SAN FRANCISCO PUBLIC UTILITIES COMMISSION
City and County of San Francisco

Edwin M. Lee
MAYOR

AGENDA
Tuesday, July 26, 2016

1:30 P.M.
1 Dr. Carlton B. Goodlett Place
City Hall, Room 400
San Francisco, CA 94102

Commissioners
Francesca Vietor, President
Anson Moran, Vice President
Ann Moller Caen
Vince Courtney
Ike Kwon

Harlan L. Kelly, Jr.
General Manager

Donna Hood
Secretary

For information, contact the Commission Secretary at 554-3165. Minutes and other information are available on the SFPUC web site: www.sfwater.org
**Accessible Meeting Policy:** The San Francisco Public Utilities Commission meeting will be held in Room 400, at 1 Dr. Carlton B. Goodlett Place (400 Van Ness Ave.), San Francisco, CA. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: MUNI Metro Lines J-Church, K-Ingleside, L-Taraval, M-Ocean View, N-Judah and T-Third at Van Ness and Civic Center Stations; F-Market; 19-Polk, 47-Van Ness; 49-Mission-Van Ness; 5-Fulton; 6-Parnassus, 21-Hayes; 9-San Bruno; and 71-Haight Noriega. For information about MUNI accessible services call 701.4485.

The meeting room is wheelchair accessible. Accessible curbside parking spaces have been designated on the Van Ness Avenue and McAllister Street perimeters of City Hall for mobility-impaired persons. There is accessible parking available within the Civic Center Underground Parking Garage at the corner of McAllister and Polk Streets, and within the Performing Arts Parking Garage at Grove and Franklin Streets.

To obtain a disability-related accommodation, including auxiliary aids or services, or to obtain meeting materials in alternative format, please contact Donna Hood at 415.554.0761. Providing at least 72 hours notice will help to ensure availability. Written reports or background materials for calendar items are available for public inspection and copying at 525 Golden Gate Ave., 13th Floor during regular business hours and are available on-line at http://www.sfwater.org/index.aspx?page=167.

To assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the President may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

**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 / Tự giúp Thông dịch Miễn phí / Assistance linguistique gratuite / 無料の言語支援 / 무료 언어 / 지원 / ความช่วย 男朋友 รอ ออกมา ตะพาญเจ้า ยาย / Libreng tulong para sa wikang Tagalog แหล่งช

**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 July 12, 2016

4. General Public Comments
   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
   a) Advance Calendar
   b) Letter Summary
   c) O’Shaughnessy Dam Quarterly Report (2016 Q1/Q2)

6. Other Commission Business

7. Report of the General Manager
   a) Drought Update        (Ritchie)
   b) CleanPowerSF Update       (Hale)

The following matters before the San Francisco Public Utilities Commission are
recommended for action as stated by the General Manager and City Attorney where
applicable. Explanatory documents provided to the Commission in connection with this
agenda are available for public inspection and copying at the Office of the Commission
Secretary, 525 Golden Gate Avenue, 13th Floor, San Francisco, CA 94102, Telephone:
(415) 554-3165; Fax: (415) 554-3424.

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) Approve Amendment No. 1 to Agreement No. CS-1007, Structural
      Engineering Services for 525 Golden Gate, with SOHA Engineers for continued
      structural engineering support during construction of building modifications; and
      authorize the General Manager to execute this amendment, increasing the
      agreement by $60,000, for a total not-to-exceed agreement amount of
      $160,000, and with a time extension of one year, for a total agreement
      duration of four years.       (How)

   b) Award Job Order Contract No. JOC-60, General Engineering (A-License) for
      San Francisco, San Mateo, Santa Clara, and Alameda Counties, for a not-to-
      exceed amount of $5,000,000, to the lowest, qualified, responsible, and
      responsive bidder, Cal State Constructors, Inc., to perform general engineering
construction tasks for all San Francisco Public Utilities Commission enterprise operations and bureaus. (How)

c) **Accept** work performed by Michels/Jay Dee/Coluccio, Joint Venture, for **Contract No. WD-2531**, Bay Division Pipelines Reliability Upgrade – Bay Tunnel; **Approve Modification No. 48** (Final), **decreasing the contract amount by $401,175**, for a total contract amount of $217,619,067, with a **time extension of 319 non-compensable consecutive calendar days** (approximately 10 months), for a total contract duration of 2,252 consecutive calendar days (approximately six years, two months); and **authorize** final payment to the contractor. (How)

d) **Accept** work performed by JDB & Sons Construction Inc., for **Contract No. WD-2779**, College Hill Learning Garden; **Approve Modification No. 1** (Final), **increasing the contract amount by $57,252**, for a total contract amount of $580,652, with a **time extension of 119 consecutive calendar days** (approximately four months), for a total contract duration of 189 consecutive calendar days (approximately six months); and **authorize** final payment to the contractor. (How)

e) **Accept** work performed by Shimmick Construction Company, Inc., for **Contract No. WW-490**, Oceanside Water Pollution Control Plant 620 Digesters SBR TPAD Conversion and Facility Improvements; **Approve Modification No. 11** (Final), **increasing the contract amount by $158,021**, for a total contract amount of $19,034,533, and with a **time extension of 167 consecutive calendar days** (approximately five months), for a total contract duration of 1337 consecutive calendar days (approximately three years, eight months); and **authorize** final payment to the contractor. (How)

f) **Authorize** the General Manager to negotiate and execute, on behalf of the City and County of San Francisco, a **Memorandum of Agreement (MOA) with the California Department of Fish and Wildlife** (CDFW), for an amount not to exceed $585,000, and with a **duration of 12 months**, which will allow for the SFPUC to provide funding to CDFW for the design, procurement, and installation of a temporary water treatment and reuse system (Pilot Recirculation System) at Moccasin Creek Fish Hatchery. CDFW intends to implement the Pilot Recirculation System to enable the Hatchery to successfully operate from January 3, 2017 through March 4, 2017, a period in which water deliveries through Mountain Tunnel will be interrupted due to maintenance, and consequently, water deliveries to the Hatchery will be significantly reduced. (Ritchie)

**REGULAR SESSION**

9. **Authorize** the General Manager to **exceed 50 MW average demand for the CleanPowerSF program and set the new program enrollment cap at approximately 75 MW average**, as long as the additional demand can be met in accordance with the adopted CleanPowerSF Power Content and Phasing Policies. (Hale)
10. **Approve the revised Records Retention Schedule and Record Retention Policy** of the San Francisco Public Utilities Commission. (Sandler)

11. **Approve amendments to Agreement Nos. CS-211A-D**, Specialized and Technical Services, Natural Resources Division, Water Enterprise, with CDM Smith/ATS, Joint Venture (CS-211A); ICF+Avila, Joint Venture (CS-211B); Shaw Environmental and Infrastructure, Inc., (CS-211C); and URS Corporation (CS-211D), to provide continuing permit compliance monitoring of Water System Improvement Program (WSIP) habitat mitigation sites; and **authorize** the General Manager to execute **future amendments within the existing contract capacity of $20,000,000**, with no single contract exceeding $7,500,000. (Ritchie)

12. Public Comments on matters to be discussed in Closed Session.

13. Motion on whether to assert the attorney-client privilege regarding the matters listed below as Conference with Legal Counsel.

**CLOSED SESSION**

*The Commission will go into Closed Session to discuss the following items:*

14. Conference with Legal Counsel – Pursuant to California Government Code Section 54956.9 (d) (3) and San Francisco Administrative Code Section 67.10 (d) (2)

   **Anticipated Litigation as Plaintiff**

   (Ambrose)

15. Conference with Legal Counsel – Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1)

   **Existing Litigation**
   
   *George Birmingham v. City and County of San Francisco*
   
   *San Francisco Superior Court No.: CGC-15-547835*
   
   *City Attorney File No.: 160278*

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)

   **Existing Litigation**
   
   
   *San Francisco Superior Court No.: CGC-14-543173*
   
   *City Attorney File No.: 150762*

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)

   **Existing Litigation**
   
   
   *San Francisco Superior Court No.: CGC-14-543173*
   
   *City Attorney File No.: 150762*
18. Conference with Legal Counsel – Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1) (Ambrose)

Existing Litigation
Karen Caldwell v. City and County of San Francisco
San Francisco Superior Court No.: CGC-14-538566
City Law File No.: 141387

19. Conference with Legal Counsel – Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1) (Ambrose)

Existing Litigation
Stacey A. Lawrence v. City and County of San Francisco, et al
San Francisco Superior Court No.: CGC-14-542269
City Attorney File No.: 151275

20. Conference with Legal Counsel – Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1) (Ambrose)

Existing Litigation
Civil Service Employees Insurance Co. v. City and County of San Francisco
San Francisco Superior Court No.: CGC-14-538389
City Attorney File No.: 141160

21. Conference with Legal Counsel – Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1) (Ambrose)

Existing Litigation
CSAA Insurance Exchange v. City and County of San Francisco, et al
San Francisco Superior Court No.: CGC-14-539993
City Attorney File No.: 150013

22. Conference with Legal Counsel – Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1) (Ambrose)

Existing Litigation
Encompass Insurance Company v. City and County of San Francisco, et al
San Francisco Superior Court No.: CGC-14-538395
City Attorney File No.: 141137

23. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1) (Mueller)

Existing Litigation:
City and County of San Francisco v. Pacific Gas & Electric
Federal Energy Regulatory Commission
Case No.: EL15-3-000/Date Filed: October 10, 2014
24. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1) (Mueller)

Existing Litigation:
Pacific Gas & Electric
Federal Energy Regulatory Commission
Tariff Withdrawal per 35.15: Notice of Termination of the 1987 CCSF Interconnection Agreement – PG&E Rate Schedule FERC No. 114 to be effective June 30, 2015.
Case No.: ER15-702-000/Date Filed: December 23, 2014

25. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1) (Mueller)

Existing Litigation:
Pacific Gas & Electric
Tariff Withdrawal per 35.15: Notice of Termination of The CCSF Facilities Charge Agreement for Moscone to be effective June 30, 2015.
Case No.: ER15-703-000/Date Filed December 23, 2014

26. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1) (Mueller)

Existing Litigation:
Pacific Gas & Electric
Federal Energy Regulatory Commission
§205(d) rate filing per 35.13 (a)(2)(iii): City and County of San Francisco Transmission Owner Tariff Replacement Agreements to be effective July 1, 2015
Case No.: ER15-705-000/Date Filed: December 23, 2014

27. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1) (Mueller)

Existing Litigation:
Pacific Gas & Electric
Federal Energy Regulatory Commission
§205(d) rate filing per 35.13 (a)(2)(iii): City and County of San Francisco Wholesale Distribution Tariff Replacement Agreements to be effective July 1, 2015
Case No.: ER15-704-000/Date Filed: December 23, 2014

28. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1) (Mueller)

Existing Litigation:
Pacific Gas & Electric
Federal Energy Regulatory Commission
Notice of Termination of Facilities Charge Agreements between PG&E and the City and County of San Francisco
Case No.: ER15-735-000/Date Filed: December 23, 2014
29. Threat to Public Services or Facilities – Pursuant to California Government Code Section 54957 and San Francisco Administrative Code 67.10 (a)  (Carroll)

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

30. Announcement following Closed Session

31. Motion regarding whether to disclose the discussions during Closed Session

32. Other New Business

33. Adjournment