



San Francisco  
Water Power Sewer

Services of the San Francisco Public Utilities Commission

**SAN FRANCISCO PUBLIC UTILITIES COMMISSION**  
CITY AND COUNTY OF SAN FRANCISCO

**Edwin M. Lee**  
MAYOR

**AGENDA**  
**Regular Meeting**  
**Tuesday, February 28, 2012**  
1:30 P.M.  
City Hall, Room 400  
1 Dr. Carlton B. Goodlett Place

**Commissioners**

Anson B. Moran, President  
Art Torres, Vice President  
Ann Moller Caen, Commissioner  
Francesca Vietor, Commissioner  
Vince Courtney, Commissioner

**Departments and Enterprises**

Water Enterprise  
Wastewater Enterprise  
Power Enterprise  
Infrastructure  
Business Services  
External Affairs

**Ed Harrington**  
General Manager

**Michael Housh**  
Secretary



For information, contact the Commission Secretary at 554-3165.  
Minutes and other information are available on the SFPUC web site: [www.sfwater.org](http://www.sfwater.org).

## **Disability Access**

The Public Utilities Commission meeting will be held in Room 400, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA. The Commission meeting room is wheelchair accessible. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: #47 Van Ness, and #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro Stations at Van Ness and Market and at Civic Center. For information about MUNI accessible services call (415) 923-6142. There is accessible curbside parking adjacent to City Hall on Grove Street and Van Ness Avenue and in the vicinity of the Veterans Building at 401 Van Ness Avenue adjacent to Davies Hall and the War Memorial Complex.

City Hall is accessible to persons using wheelchairs and other disabilities. The Polk Street/ Carlton B. Goodlett entrance is accessible via a ramp and a wheelchair lift. The other three entrances are accessible via ramps. Assistive listening devices are available and meetings are open captioned in the hearing room and closed captioned on SFGTV. Materials in alternative formats, American Sign Language interpreters, and other accommodations will be made available upon request. Please contact Michael Housh, Commission Secretary, at (415) 554-3165 or by Email [mhoush@sfgwater.org](mailto:mhoush@sfgwater.org) to make arrangements for any of these services. Providing at least 48 hours notice prior to the meeting will help to ensure availability.

In order 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 accommodate these individuals.

### **Know your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code)**

Government's duty is to serve the public, reaching its decisions 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 the Sunshine Ordinance Task Force, City Hall, Room 409, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4683 at Phone No.: (415) 554-7724; Fax No.: (415) 554-7854; E-mail: [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 [www.sfgov.org](http://www.sfgov.org).

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 Chair 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.

### **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).

## ORDER OF BUSINESS:

1. Call to Order
2. Roll Call
3. Approval of Minutes
  - a) [Minutes](#) of the February 14, 2012 Regular Meeting

4. 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.) [Letter Summary](#)
- b.) [Advance Calendar](#)
- c.) Staff Reports (*written reports sent to the Commissioners*)
  1. [Hunter's Point Development](#) Phase I Update Report (Hale)
  2. [Residential Graywater Program Update](#) (Ritchie)
  3. [Community Garden Irrigation Meter Grant Program](#) (Ritchie)
  4. [Quarterly Construction Change Order Report](#) (Labonte)

6. Other Commission Business

7. Report of the General Manager

- a) [Water System Improvement Program](#) (WSIP) [Quarterly Update Report](#) (Labonte)
- b) [Update on Shore Side Power at Pier 70](#) (Hale)
- c) New Site for Proposed Westside Recycled Water Project (Ritchie)

8. Bay Area Water Supply & Conservation Agency (BAWSCA) General Manager's Report (Jensen)
  - a) BAWSCA Update Report

THE FOLLOWING MATTERS BEFORE THE PUBLIC UTILITIES COMMISSION ARE RECOMMENDED FOR ACTION AS STATED BY THE GENERAL MANAGER OF PUBLIC UTILITIES 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, 1155 Market Street, 11<sup>th</sup> Floor, San Francisco, CA 94103, Telephone: (415) 554-3165, Fax: (415) 554-3424.

## CONSENT CALENDAR

9. 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 Consent Calendar and considered as a separate item.
  - a) [Approve Amendment No. 2](#) to Legislative Affairs Funded Agreement No. CS-850, State Legislative Representation and Advocacy Services for the San Francisco Public Utilities Commission (SFPUC), with Edelstein, Gilbert, Robson, and Smith to provide state legislative representation and advocacy services for the SFPUC and **authorize** the General Manager of the San Francisco Public Utilities Commission (SFPUC) to execute this amendment increasing the agreement by \$50,000, for a total not-to-exceed agreement amount of \$1,050,000, and increasing the agreement duration by up to three (3) months for a total agreement duration of five (5) years, three (3) months. *(Ellis)*
  - b) [Approve Amendment No. 2](#) to Legislative Affairs Funded Agreement No. CS-851, Federal Legislative Representation and Advocacy Services for the San Francisco Public Utilities Commission (SFPUC), with Daryl Owen Associates to provide federal legislative representation and advocacy services for the SFPUC and **authorize** the General Manager of the San Francisco Public Utilities Commission (SFPUC) to execute this amendment increasing the agreement by \$83,333, for a total not-to-exceed agreement amount of \$1,333,333, and increasing the agreement duration by four (4) months for a total agreement duration of five (5) years, four (4) months. *(Ellis)*
  - c) [Approve Modification No. 1](#) to Enterprise-funded Contract No. JOC-21, Job Order Contract (JOC), General Construction (B-License), San Francisco/Peninsula/East Bay/Hetch Hetchy, with Southwest Construction and Property Management, to accomplish general building construction work for all San Francisco Public Utilities Commission (SFPUC) Enterprise Operations and Bureaus, increasing the contract by \$2,500,000, for a total contract amount of \$7,500,000, and with a time extension of three years for a total contract duration of five years, as allowed for JOC contracts under the SF Administrative Code. Modification of this contract will complete ongoing facility improvements such as roofing, fencing, security monitoring, erecting pre-fabricated buildings, plumbing and electrical work. *(Kelly)*
  - d) [Accept the work performed](#) by, Mountain Cascade, Inc. for Water Enterprise, Water System Improvement Program (WSIP)-funded Contract No. WD-2513, San Andreas Pipeline No. 3 Replacement; **approve** Modification No. 1 (Final), increasing the contract by \$521,001 for a total contract amount of \$16,857,351 with a time extension of 63

consecutive calendar days for a total contract duration of 673 consecutive calendar days; and **authorize** the final payment to the contractor. Modification No 1 (Final) is comprised of twenty-eight (28) change orders, which address credits for design changes due to differing site conditions and workarounds due to unforeseen weather conditions. The total of all change orders represents a 3.19% increase over the original contract amount and 10.33% of the original contract duration. *(Labonte)*

- e) Accept the work performed by J. Flores Construction for Wastewater Enterprise (WWE) Capital Improvement Program-funded (CIP) Contract No. WW-521, Spot Sewer Repair Contract No. 25; **approve** Modification No. 2 (Final), to account for additionally required sewer repair work, increasing the contract by \$690,204, for a total contract amount of \$3,908,939; and **authorize** final payment to the contractor. Modification No. 2 is being requested to address costs related to 1) the additional length and level of damage discovered upon excavation; and 2) the amount of repair work performed along streets with MUNI trolley bus service. Due to OSHA requirements, the MUNI overhead trolley lines either needed to be offset temporarily or de-energized in order to perform the repair work. *(Moala)*

## REGULAR BUSINESS

10. Presentation and discussion of the 2011 Revenue Bond Oversight Committee (RBOC) Annual Report *(Brown)*
11. Discussion and possible action to **approve** the selection of MWH/URS, Joint Venture (MWH/URS JV); award Wastewater Enterprise, Sewer System Improvement Program (SSIP) funded Agreement No. CS-169, Central Bayside System Improvements Project, to provide project planning and engineering services; and **authorize** the General Manager of the San Francisco Public Utilities Commission to negotiate and execute a professional services agreement with MWH/URS JV for an amount not-to-exceed \$30,000,000, with a duration of up to nine (9) years, subject to the Board of Supervisors approval pursuant to Charter Section 9.118. *(Kelly)*
12. Discussion and possible action to **authorize** the General Manager of the San Francisco Public Utilities Commission (SFPUC) to negotiate and execute a Memorandum of Understanding (MOU) with California Pacific Medical Center (CPMC) to perform sewer improvements related to and under the Wastewater Enterprise, Cesar Chavez Street Sewer System Improvement Project (the Project); **authorize** the General Manager to accept and expend funds from CPMC in the amount of \$3,729,893 to issue a Contract Modification in the amount of \$2,847,758, increase the construction contingency by \$284,776 and authorize staff to provide \$597,359 of support related to the MOU agreement, subject to Board approval of a supplemental appropriation of those funds; and **approve** Modification No. 1 to Wastewater Enterprise Contract No. WW-410, Cesar Chavez Street Sewer Improvement Project, with JMB Construction Inc., to modify sewer facilities on Cesar Chavez Street, 27<sup>th</sup> Street, San Jose Avenue, Valencia Street, and Duncan Street, increasing the contract by \$2,847,758 for a total contract amount of \$18,175,297 and with

a time extension of 98 consecutive calendar days, for a total contract duration of 598 consecutive calendar days; and increasing the construction contingency by \$284,776 for a total contingency amount of \$1,817,530, subject to Board approval of a supplemental appropriation of those funds; and **adopt** environmental findings under the California Environmental Quality Act. (Moala)

## CLOSED SESSION

13. Public comments on matters to be discussed in Closed Session.
  
14. Motion on whether to assert the attorney-client privilege regarding the matters listed below as Conference with Legal Counsel.

THE PUBLIC UTILITIES COMMISSION WILL GO INTO CLOSED SESSION TO DISCUSS THE FOLLOWING ITEMS:

15. Threat to Public Services or Facilities – Pursuant to California Government Code Section 54957 and San Francisco Administrative Code Section 67.10(a). (Ambrose)

Consultation with: Agency Chief of Security concerning security of S.F.P.U.C. Water and Power Systems.

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

Existing Litigation: As Defendant  
*Donna Murray v City & County of San Francisco*  
San Francisco Superior Court Case: No. CGC-10-503853  
Filed: September 9, 2010

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

*City and County of San Francisco, Office of City Attorney Dennis Herrera, as Civil Prosecutor and the People of the State of California et al. v Alexander Deanda, Gerald T. Lyons, and Sheldon Morris*  
Existing Litigation: As Plaintiff  
San Mateo Superior Court Case No. CIV 482-138  
Filed: November 24, 2008

18. Public Employee Appointment/Hiring - Pursuant to California Government Code Section 54957 and San Francisco Administrative Code Section 67.10(b). *(Moran)*

Position: 0922 Administrative Secretary, Public Utilities Commission

FOLLOWING THE CLOSED SESSION, THE PUBLIC UTILITIES COMMISSION WILL RECONVENE IN OPEN SESSION.

19. Announcement following Closed Session.
20. Motion regarding whether to disclose the discussions during Closed Session.
21. Other New Business

ADJOURNMENT

City and County of San Francisco  
Public Utilities Commission  
1155 Market Street, 11<sup>th</sup> Floor  
San Francisco, CA 94103

**RETURN SERVICE REQUESTED**