SAN FRANCISCO PUBLIC UTILITIES COMMISSION
City and County of San Francisco

Edwin M. Lee
MAYOR

AGENDA
Tuesday, July 8, 2014

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

Commissioners
Vince Courtney, President
Ann Moller Caen, Vice President
Francesca Vietor
Anson Moran
Art Torres

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
Disability Access: The Public Utilities Commission meeting will be held in Room 400, at One 1 Dr. Carlton B. Goodlett Place, (400 Van Ness Avenue), 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 Oceanview, N Judah and T Third at Van Ness and Civic Center Stations; F Market Line; and bus routes 19 Polk, 47 Van Ness, 49 Mission Van Ness, 5 Fulton, 6 Parnassus, 21 Hays, 9 San Bruno, 9L San Bruno Limited, 71 Haight Noriega and 71L Noriega Limited. For more information about MUNI accessible services call (415) 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) 554-3165, or by emailing dhood@sfwater.org. Providing at least 72 hours notice will help to ensure availability. 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. Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department’s website or in other public documents.

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. 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.

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.

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 June 24, 2014

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) Advance Calendar
   b) Letter Summary

6. Other Commission Business

7. Report of the General Manager
   a) Water Supply Outlook (Ritchie)

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 the plans and specifications, and award Contract No. HH-963R, Moccasin Control and Server Building, in the amount of $6,611,250, to the lowest, qualified, responsible and responsive bidder, Robert E. Boyer Construction, to construct an approximately 4,800 square foot single story building containing a Power House Control Room, Server Room, Water Operations Meeting Room, and offices. (Ritchie)

   b) Approve Modification No. 1 to Contract No. JOC-38R, Heating Ventilation Air Conditioning (HVAC) (Energy Efficiency (C-20) for San Francisco/Peninsula, with
Westates Mechanical Corp., to perform HVAC upgrades in City-owned municipal facilities, increasing the contract by $1,500,000, for a total contract amount not-to-exceed $4,500,000, and with a time extension of 730 consecutive calendar days, for a total contract duration of 1825 consecutive calendar days, as allowed for JOC’s under the San Francisco Administrative Code. (Cruz)

c) Approve Modification No. 1 to Contract No. JOC-39, Heating Ventilation Air Conditioning Energy Efficiency (C-20) for San Francisco/Peninsula, with American Mechanical, Inc., to perform HVAC upgrades in City-owned municipal facilities, increasing the contract by $1,500,000, for a total contract amount not-to-exceed $4,500,000, and with a time extension of 730 consecutive calendar days for a total contract duration of 1825 consecutive calendar days, as allowed for JOC’s under the San Francisco Administrative Code. (Cruz)

d) Accept work performed by Shaw Pipeline, Inc. for Contract No. WW-499, Downtown District Sewer Replacement and Pavement Renovation; approve Modification No. 3 (Final), decreasing the contract by $210,506, for a total contract amount of $2,003,969 (of which $1,134,624 is funded by WWE and $869,345 is funded by DPW), and with a time extension of 82 consecutive calendar days for a total contract duration of 319 consecutive calendar days; and authorize final payment to the contractor. (Moala)

e) Accept work performed by D’Arcy & Harty Construction for Contract No. WW-507, Bernal Heights/Potrero Districts Sewer Replacement/Rehabilitation and Pavement Renovation, for a total contract amount of $2,956,406 (of which $1,850,946 is funded by WWE, $1,064,405 is funded by DPW and $41,055.00 is funded by Recreation and Park Department), and with a total contract duration of 248 consecutive calendar days; and authorize final payment to the contractor. (Moala)

REGULAR CALENDAR

9. Approve the terms and conditions and authorize Lease Agreements between the San Francisco Public Utilities Commission, Communications & Control, Inc., and Tri-Star Investors, Inc., for services facilities in Alameda, Contra Costa, and Stanislaus Counties, for terms not to exceed 25 years each, and for a total annual rent of $78,500; and authorize the General Manager to modify these agreements as necessary to add additional facilities, up to a maximum increase in rent of 20 percent, subject to Board of Supervisors approval pursuant to Charter Section 9.118. (Carlin)

10. Adopt a finding declaring that the SFPUC’s Francisco Reservoir property, located at Bay Street between Larkin and Hyde Streets in San Francisco (Francisco Reservoir Tract) in its current condition, is surplus to the needs of any SFPUC utility; Authorize the General Manager to execute an MOU between the SFPUC and SFRPD for a jurisdictional transfer of the Francisco Reservoir Tract at fair market value of $9.9 Million to SFRPD; Authorize a request to the Board of
Supervisors and Mayor to approve a conditional jurisdictional transfer of the Francisco Reservoir Tract at the fair market value of $9.9 Million, subject to the terms of the MOU and applicable law. (Carlin)

11. Public Comments on Matters to be discussed in Closed Session.

12. 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:

13. 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 Claim
Wendy and Johnny Tseng v. CCSF
City Attorney Unlitigated Claim No. 14-01593
Date Filed: January 21, 2014

14. Conference with Real Property Negotiator pursuant to Pursuant to Government Code Section 54956.8 and Administrative Code Section 67.8 (a) (2) (Ambrose)

Property:
Cedar Fair Lease – A Portion of Bay Division Pipelines No. 3 and 4
SFPUC Parcel 142, Santa Clara, CA

Persons Negotiating:
Michael Carlin and Rosanna Russell (SFPUC)
Duffield Milkie (Cedar Fair)

Under Negotiation: Price (XX) Terms of Payment ( ) Both ( )

15. Conference with Real Property Negotiator pursuant to Pursuant to Government Code Section 54956.8 and Administrative Code Section 67.8 (a) (2) (Carlin)

Property:
38240 Canyon Heights, Fremont, CA

Persons Negotiating:
Michael Carlin and Rosanna Russell (SFPUC)
Bob Shaver (Alameda County Water District)

Under Negotiation: Price ( ) Terms of Payment ( ) Both (XX)
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) (Mueller)

Existing Litigation:
City and County of San Francisco v. Pacific Gas & Electric Company
San Francisco Superior Court Case No.: CGC-13-529309
City Attorney File No. 0000657 / Date Filed March 6, 2013: Served June 6, 2013

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) (Mueller)

Existing Litigation:
City and County of San Francisco v. Pacific Gas & Electric Company
San Francisco Superior Court Case No.: CGC-13-529310
City Attorney File No. 0000657 / Date Filed June 6, 2013

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) (Mueller)

Existing Litigation:
Pacific Gas & Electric Company, v. City and County of San Francisco
Court of Appeal of the State of California, First Appellate District, Division Five
Case No.: A127554 / Date Filed: January 29, 2010

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

Consultation with Agency Chief of Security concerning security of SFPUC Water and Power Systems.

Following Closed Session, the Commission will reconvene in Open Session

20. Announcement following Closed Session.

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

22. Other new business.

ADJOURNMENT