SAN FRANCISCO PUBLIC UTILITIES COMMISSION
City and County of San Francisco

Edwin M. Lee
MAYOR

AGENDA
Tuesday, May 14, 2013

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

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

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
Gavel-to-Gavel coverage available at:
http://sanfrancisco.granicus.com/ViewPublisher.php?view_id=22
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. 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.
ORDER OF BUSINESS:

1. Call to Order

2. Roll Call

3. Approval of Minutes of April 23, 2013.

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) Quarterly Audit Report
      • General Services Agency – Annual Chapter 14B Audit
      • San Francisco Water Enterprise and Hetch Hetchy Water and Power, Statement of Charges in the Balancing Account, June 30, 2012
      • Western Electricity Coordinating Council/North American Electric Reliability Corporation Self-Certification 2012
      • Single Audit of Federal Funds received and expended by the City and County of San Francisco, for the year ending June 30, 2012
   c) WSIP Quarterly Reports
      • Local Report
      • Regional Report
      • Status of Construction Change Orders – 3rd Quarter
   d) Water Enterprise Capital Improvement Program Quarterly Reports
      • Local Report
      • Local Water Supply Program Report
      • Regional Report

6. Other Commission Business

7. Report of the General Manager
   • Quarterly Budget Report (Rydstrom)
   • WSIP Update (Labonte)

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 Modification No. 1 to JOC-40, Heating Ventilation Air Conditioning (HVAC) Energy Efficiency (C-20) for San Francisco/Peninsula, with EMCOR Service/Mesa Energy Systems, Inc., to perform HVAC upgrades in City owned municipal facilities, increasing the contract by $1,500,000, for a total contract amount of $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 contracts under the San Francisco Administrative Code. This contract modification is needed to complete HVAC work in City facilities. (Cruz)

b) Approve the plans and specifications, and award Contract WD-2695, Auxiliary Water Supply System – New Cisterns A, in the amount of $3,868,900, to the lowest, qualified, responsible and responsive bidder, Trinet Construction, to construct six new Auxiliary Water Supply System buried concrete cisterns at 35th Avenue and Irving Street, 37th Avenue and Lawton Street, 37th Avenue and Ortega Street, 37th Avenue and Rivera Street, 37th Avenue and Ulloa Street, and 36th Avenue and Wawona Street. (Ritchie)

c) Approve the plans and specifications, and award Contract WD-2503R, 8-inch Ductile Iron Pipe Main Installation on Jackson, Washington, Sacramento and Davis Streets, in the amount of $2,139,389 to the lowest, qualified, responsible and responsive bidder, Empire Engineering & Construction, Inc. (Ritchie)

d) Approve submission of an attestation of veracity for the San Francisco Public Utilities Commission 2012 Power Source Disclosure Report to the California Energy Commission, a report required by State law to disclose the electricity sources used to serve the SFPUC’s end-use electric customers. The 2012 Report discloses that the electricity sources used to serve these electric customers were 91.9% greenhouse-gas free hydroelectric generation and 8.1% eligible renewable energy resources under California’s Renewable Portfolio Standard. (Hale)

REGULAR BUSINESS

9. Authorize the General Manager to execute on behalf of the City and County of San Francisco, an amendment to the existing grant agreements with the Regional Job Training and Opportunities Program (JTOP) providers: (1) San Joaquin County’s YouthBuild; (2) Alameda County’s Cypress Mandela Training Center; and (3) San Mateo County’s Project Build programs, to extend the duration and increase the grant funds to continue to help satisfy the employment development goals for economically disadvantaged worker participation on Water System Improvement Program (WSIP) projects performed outside of San
Francisco. This grant extension will allow the SFPUC to provide job training and opportunities for WSIP service territory workers on WSIP projects performed outside of San Francisco, as governed by the WSIP Project Labor Agreement, for the duration of the Program. (Cruz)

10. **Approve Amendment No. 1 to Agreement CS-946**, Upper Tuolumne River Ecosystem Project - River Science Support Services, with McBain & Trush, Inc., to continue as-needed hydrologic, geomorphic, biological, and related river ecosystem science work to support SFPUC implementation and compliance activities associated with existing instream flow agreements; and **authorize the General Manager to execute this amendment increasing the agreement by $500,000** for a total not-to-exceed agreement amount of $2,000,000, and with a **time extension of six months**, for a total agreement duration of five years, and six months. (Ritchie)

11. **Approve an increase in the construction contract cost contingency for Contract WD-2652**, Bioregional Habitat Restoration – San Antonio Creek, **in the amount of $979,457**; and **authorize the General Manager or his designee to approve future modifications to the contract for a total revised contract amount up to $15,221,597**. The potential increase in the contract cost is due to various changed conditions, including storm damage December 2012 during construction, and emergency watering required by an exceedingly dry Spring Season. (Cruz)

12. **Consider and adopt the proposed Wholesale Revenue Requirement and rate schedule for FY 2013-14**, as applied to meter readings on or after July 1, 2013. This rate schedule reflects the terms of the 2009 Water Supply Agreement between the City and County of San Francisco and the Wholesale Customers (WSA), which was approved on April 28, 2009 by Commission Resolution No. 09-0069. (Rydstrom)

13. **Public Hearing**: Discussion and possible action regarding schedules of rates and charges of the San Francisco Public Utilities Commission Power Enterprise for phase one of the **CleanPowerSF Community Choice Aggregation Program** for renewable power procurement within San Francisco. (Hale)

14. **Public Comments on matters to be discussed in Closed Session.**

15. **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:
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).          (Fairgrieve)

Travelers & Connie Curran vs. the City and County of San Francisco
Unlitigated Claim No. 12-01124
Date Filed: November 15, 2011

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).          (Fairgrieve)

Adams-Irving, Paulette v. City & County of San Francisco.
San Francisco Superior Court No. CGC-11-509216
City Attorney’s Office No. 101475
Date Filed: March 15, 2011

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

Anticipated Litigation - As Plaintiff

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).          (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

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

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

Following Closed Session, the Commission will reconvene in Open Session

21. Announcement following closed session.

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

23. Other new business.

ADJOURNMENT
NOTICE OF PUBLIC HEARINGS

NOTICE OF PUBLIC HEARINGS Tuesday, April 23, 2013 – 1:30 PM City Hall, Room 400, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102, at a Regular Meeting of the SAN FRANCISCO PUBLIC UTILITIES COMMISSION, and if necessary, Tuesday, May 14, 2013 - 1:30 PM City Hall, Room 400, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102, at a Regular Meeting of the SAN FRANCISCO PUBLIC UTILITIES COMMISSION, and if necessary, Tuesday, May 28, 2013 - 1:30 PM City Hall, Room 400, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102, at a Regular Meeting of the SAN FRANCISCO PUBLIC UTILITIES COMMISSION, and if necessary, Tuesday, June 11, 2013 - 1:30 PM City Hall, Room 400, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102, at a Regular Meeting of the SAN FRANCISCO PUBLIC UTILITIES COMMISSION: Public Hearing, discussion and possible action to adopt schedules of electric rates and charges for customers of the San Francisco Public Utilities Commission (SFPUC) for phase one of the CleanPowerSF Community Choice Aggregation Program for renewable power procurement within San Francisco. The detailed agenda and related files will be available at least 72 hours before the scheduled meetings at the SFPUC website www.sfwater.org, or by calling (415) 554-3165.